

Exhibit

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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DEMETRIC DIAZ, OWEN DIAZ AND)	
LAMAR PATTERSON,)	
)	
Plaintiffs,)	CASE NO.
)	3:17-cv-06748-WHO
vs.)	
)	
TESLA, INC., DBA TESLA MOTORS,)	
INC.; CITISTAFF SOLUTIONS, INC.;)	
WEST VALLEY STAFFING GROUP;)	
CHARTWELL STAFFING SERVICES,)	
INC.; AND DOES 1-50, INCLUSIVE,)	
)	
Defendants.)	
)	

VIDEOTAPED DEPOSITION OF TAMOTSU KAWASAKI

DATE: OCTOBER 9, 2019

TIME: 2:05 P.M.

LOCATION: CALIFORNIA CIVIL RIGHTS LAW GROUP
180 GRAND AVENUE, SUITE 1380
OAKLAND, CALIFORNIA

REPORTED BY: ANGIE M. MATERAZZI
Certified Shorthand Reporter
License No. 13116

TAMOTSU KAWASAKI

October 9, 2019

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TAMOTSU KAWASAKI

October 9, 2019

1 Mr. Timreza had used the N-word towards him?

2 **A. Correct.**

3 Q. And you also recall that other people told you
4 that they had heard racial terms used; is that right?

5 **A. Correct.**

6 MR. ARANEDA: Objection, misstates his
7 testimony.

8 BY MR. ORGAN:

9 Q. Did -- did anyone ever tell you -- anyone
10 else -- other than Mr. Diaz -- tell you they had also
11 heard the N-word directed towards Mr. Diaz?

12 **A. I don't remember anybody else telling me that**
13 **the N-word was directed towards him. I mean, it's -- we**
14 **live in that era where that words is very -- throw**
15 **around very casually.**

16 Q. Right. But in terms of workplace policy at
17 the Tesla factory, people were not supposed to use the
18 N-word there?

19 **A. Correct. That's any workplace.**

20 Q. Right. Whether people use the word
21 casually -- in their everyday life or not -- is
22 irrelevant, relative to the workplace, right?

23 **A. Correct.**

24 MS. JENG: Objection, calls for a legal
25 conclusion.

1 is 3:35.

2 (Off the record at 3:35 p.m. and back on
3 the record at 3:37 p.m.)

4 MR. ORGAN: Okay. We're back on the record.
5 The time is 3:37.

6 BY MR. ORGAN:

7 Q. Did -- when you were walking around the
8 facility, did you ever hear anyone using the N-word,
9 even if you can't identify them, did you hear that word?

10 A. I mean, I heard it all the over the facility.
11 I mean, it's -- there's a bunch of staffing companies,
12 man. I mean, you had -- you had a range of people, man.
13 Staffing companies hire -- you go to a staffing company
14 because you can't get a job, per se, like a -- I guess a
15 real person or whatever, you have a background, whatever
16 it is. I mean, we filtered through a lot of people.
17 I'm not knocking people for what they do, but it's a
18 staffing agency, per se. So you got a wide arrange of
19 people.

20 Like I said, in our age, that word gets thrown
21 around very causally. Now, if you -- there is tones the
22 way you say it and what it is, but -- I mean, I've heard
23 it thrown around there, yeah.

24 Q. How -- how often do you think you heard the
25 N-word at the Tesla factory?

1 at NextSource?

2 A. No. I -- what -- what do you mean by that?

3 You got to rephrase that.

4 Q. Sure. Was anyone at NextSource informed of
5 the incident between Mr. Ramon Martinez and Mr. Owen
6 Diaz?

7 A. Not by me. I don't -- I can't tell by anybody
8 else but not by me. I didn't -- don't have -- don't
9 know anybody at NextSource or e-mail chain.

10 Like I said, my e-mails always went to Victor,
11 Jaime and Ed, when Ed came. Before that, it was Victor
12 and Jaime.

13 Q. You testified that you heard the N-word thrown
14 around, but you did not think anything of this.

15 What did you -- what did you mean by that?

16 A. It -- I mean, I drive around the building,
17 people are -- whatever, they're on break, they're in the
18 cafeteria, they're joking around with each other, you
19 know, they're saying the N-word to each other, maybe in
20 a cool way or whatever to them, whatever it is.

21 I -- just -- it -- it didn't recollect to me
22 that that wasn't right or I should say something or
23 whatever. It -- like I said, that had nothing to do
24 with me. It wasn't hurting me, it wasn't hurting my
25 people in doing their job. They weren't my employees.

1 It didn't affect me. So I just thought nothing of it.
2 It's like walking down the street right now hearing
3 somebody saying it. You're not going to think twice,
4 you're not going to stop.

5 Q. Did you -- did you -- did you think nothing of
6 it because you heard it sort of more of a greeting
7 between people? Is that what you're saying?

8 A. It was -- it wasn't like an argument tone, it
9 wasn't in an aggressive tone, so.

10 Q. Did you -- did you believe it was not being
11 used in an offensive manner?

12 A. Yes --

13 MR. ORGAN: Objection, assume facts not in
14 evidence, calls for speculation.

15 BY MR. ARANEDA:

16 Q. Did you ever hear Mr. Diaz use the N-word?

17 A. No.

18 Q. You -- you testified earlier that you spoke
19 with Mr. Organ's office, correct?

20 A. (No audible response.)

21 Q. How long did you -- was that in an person --
22 strike that.

23 The conversation that you had with Mr. Organ's
24 office, was that in an person conversation or over the
25 telephone?

TAMOTSU KAWASAKI

October 9, 2019

1 CERTIFICATE OF DEPOSITION OFFICER

2

3 I, ANGIE M. MATERAZZI, CSR No. 13116, duly
4 authorized to administer oaths Pursuant to Section
5 2093(b) of the California Code of Civil Procedure,
6 hereby certify that the witness in the foregoing
7 deposition was by me duly sworn to testify the truth,
8 the whole truth and nothing but the truth in the
9 within-entitled cause; that said deposition was taken at
10 the time and place therein stated; that the testimony of
11 the said witness was reported by me and thereafter
12 transcribed by me or under my direction into
13 typewriting; that the foregoing is a full, complete and
14 true record of said testimony; and that the witness was
15 given an opportunity to read and correct said deposition
16 and to subscribe the same.

17 I further certify that I am not of counsel nor
18 attorney for either or any of the parties in the
19 deposition and caption named, or in any way interested
20 in the outcome of the cause named in said caption.

21 I hereby certify this copy is a true and
22 exact copy of the original.

23

ANGIE M. MATERAZZI, CSR 13116

24

25 Date: _____

Exhibit

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

- - - - -
DEMETRIC DIAZ, OWEN DIAZ, and)
LAMAR PATTERSON,)
Plaintiffs,) CASE NO.
vs.) 3:17-CV-06748-WHO
TESLA, INC. dba TESLA MOTORS,)
INC.; CITISTAFF SOLUTIONS,)
INC.; WEST VALLEY STAFFING)
GROUP; CHARTWELL STAFFING)
SERVICES, INC.; and DOES 1-50,)
inclusive,)
Defendants.)
- - - - -

DEPOSITION OF MICHAEL JOHN WHEELER

WEDNESDAY, JUNE 12, 2019

Reported by:

BY: MELINDA M. SELLERS, CSR# 10686, RMR, CRC, CRR, CCRR

MICHAEL JOHN WHEELER
June 12, 2019

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9 Deposition of MICHAEL JOHN WHEELER, taken on
10 behalf of PLAINTIFFS, at 180 Grand Ave., Suite 1380,
11 Oakland, California, commencing at 12:18 p.m.,
12 WEDNESDAY, JUNE 12, 2019, before Melinda M. Sellers,
13 Certified Shorthand Reporter No. 10686, pursuant to
14 Notice.

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MICHAEL JOHN WHEELER

June 12, 2019

1 APPEARANCES OF COUNSEL:

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MICHAEL JOHN WHEELER
June 12, 2019

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10 ALSO PRESENT:
11 SAJA SPEARMAN, INTERN/VIDEOGRAPHER
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MICHAEL JOHN WHEELER

June 12, 2019

1 **circulation. We took care of the whole factory.**

2 **And if you've seen the factory, it's a really large**

3 **factory. So, yeah, I cannot remember.**

4 Q. You would be throughout the whole factory?

5 A. **Throughout the entire factory.**

6 Q. Did you ever hear the N-word used anywhere
7 else on the factory?

8 A. **Not -- not outside of friendly context. So**
9 **g-a instead of e-r, but never really aggressively.**

10 Q. Okay. So tell me about that. So when you
11 were in general assembly -- that's what g-a is,
12 right?

13 A. **What did I just say? No. No.**

14 I mean, g-a is general assembly but --

15 Q. Okay.

16 A. **But I think my g-a was something different,**
17 **if I did just say that. But we were everywhere, all**
18 **the way to the end of the line to gate 3, which**
19 **would have been the big red gate, to plastics,**
20 **paint, body and white.**

21 Q. So as a recycling associate, you would have
22 to go throughout the entire factory. Is that true?

23 A. **Yes.**

24 Q. And so as a result of that, you were able
25 to overhear things? Is that true?

1 A. Yes and no. So I had a little cart that I
2 drove around, and so I wouldn't be -- I would be
3 moving too fast to really drop into a conversation.

4 Q. I see. Okay.

5 But it sounded like you did hear the N-word
6 used at other times in the factory --

7 A. Yeah.

8 Q. -- is that correct?

9 A. During breaks or outside when they're
10 smoking or in passing, coming into the factory.

11 Q. And do you remember who the people were who
12 you heard using the N-word?

13 A. Everybody. Blacks, whites, Mexican.

14 Q. Okay. And you said that you didn't think
15 it was used in an aggressive way?

16 A. Not at all.

17 Q. So when you were overhearing it, you were
18 hearing it more like, "Hey, how's my N-word," or
19 that kind of thing?

20 A. Yeah.

21 Q. And the N-word with an "A"?

22 A. "A," correct.

23 Q. Right.

24 However, N-word with an "A" can still be
25 offensive to an African-American, right?

MICHAEL JOHN WHEELER

June 12, 2019

1 **A. Could be, yes.**

2 **Q. Okay. Certainly the e-r version of the**
3 **N-word you heard is always offensive, correct?**

4 **A. Correct.**

5 **Q. And you found it offensive. And Jesus used**
6 **the N-word towards you, right?**

7 **A. Yes.**

8 Q. And in terms of what Josue said to you
9 about what he would do about the fact that you had
10 been called the N-word, tell me, again, what did he
11 say he would do?

12 **A. That would have been in an email.**

13 Q. An email?

14 **A. Yeah.**

15 Q. So you complained to Josue in an email?

16 **A. Yes. If you could -- I don't know if we --**
17 **if we could get to the phone, if we could get to a**
18 **supervisor phone -- if you could get into my email,**
19 **so much more could be taken care of.**

20 Q. I see.

21 **A. But right after I was terminated, they had**
22 **me turn in my phone.**

23 Q. Okay. But the email goes through a
24 electronic service, so --

25 **A. Yes.**

1 than me, so this would strike him more specifically
2 than it would my generation of African-Americans.
3 Where they still use, you know, "spook" and things
4 of that, you know, nature.

5 Q. Did he tell you -- did Owen tell you that
6 he thought the "Boo" was short for jigaboo?

7 A. If he did mention it, I wasn't -- I was
8 more concerned with who, not what at that point.

9 Q. Okay. Okay. But the way you perceived it
10 as an African-American male, was you still perceived
11 this as some kind of racial drawing, right?

12 A. I perceived it as spook, "Boo" being
13 related to spook, not as jigaboo.

14 Q. Okay. And it was still offensive to you as
15 an African-American male, right?

16 A. Correct.

17 Q. Okay. So and certainly Owen Diaz expressed
18 to you that he was offended by this drawing, right?

19 A. Yes.

20 Q. And then -- okay. What happens next?

21 A. So Ramon -- we call Ramon over. I want to
22 say we called Ramon over to figure out what was
23 going on. At this point -- because I don't think
24 Ramon drew it --

25 Q. Okay.

MICHAEL JOHN WHEELER

June 12, 2019

1 STATE OF CALIFORNIA)

2) ss

3 COUNTY OF CALAVERAS)

4 I hereby certify that the witness in the
5 foregoing deposition of MICHAEL JOHN WHEELER was by
6 me duly sworn to testify to the truth, the whole
7 truth, and nothing but the truth in the
8 within-entitled cause; that said deposition was taken
9 at the time and place herein named; that the
10 deposition is a true record of the witness's
11 testimony as reported by me, a duly certified
12 shorthand reporter and a disinterested person, and
13 was thereafter transcribed into typewriting by
14 computer.

15 I further certify that I am not interested
16 in the outcome of the said action, nor connected
17 with, nor related to any of the parties in said
18 action, nor to their respective counsel.

19 IN WITNESS WHEREOF, I have hereunto set my
20 hand this 24th day of June, 2019.

21

22

23

24 _____
MELINDA M. SELLERS, CSR NO. 10686

25 STATE OF CALIFORNIA

Exhibit

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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DEMETRIC DI-AZ, OWEN DIAZ, and
LAMAR PATTERSON,

Plaintiffs,

No. 3:17-cv-06748-WHO

vs.

TESLA, INC. dba TESLA MOTORS,
INC.; CITISTAFF SOLUTIONS,
INC.; WEST VALLEY STAFFING
GROUP; CHARTWELL STAFFING
SERVICES, INC.; NEXTSOURCE,
INC.; and DOES 1-50,
inclusive,

Defendants.

_____ /

DEPOSITION OF WAYNE JACKSON

Friday, May 17, 2019

Reported by: Patricia Rosinski, CSR #4555

Job No. 13571

WAYNE JACKSON

May 17, 2019

A P P E A R A N C E S

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WAYNE JACKSON

May 17, 2019

1 A P P E A R A N C E S (continued)

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WAYNE JACKSON

May 17, 2019

1 **A. No.**

2 Q. -- at Tesla?

3 **A. I wouldn't have. I wouldn't have done anything**
4 **with her, no.**

5 Q. What's your opinion of West Valley Staffing
6 Group?

7 **A. They're a good staffing agency, just like any**
8 **other staffing agency.**

9 Q. I'm going to ask you about a word that has
10 been -- that's come up a few times in this case, and I
11 don't want you to be offended, but I have to use the
12 word. The word is nigger.

13 **A. Yes, sir.**

14 Q. Did you ever hear anyone use that word at
15 Tesla?

16 **A. Yes, sir.**

17 Q. In what circumstances did you hear that word
18 being said?

19 A. There had been times where I'd actually
20 walked -- been walking through the facility, and there
21 was -- one time in particular, there was two Asian or
22 Filipino gentlemen. And one was, like, "What's up, my
23 nigga," to the other one. That type of thing.

24 It still was offensive, but, you know, it
25 wasn't my employee, so I didn't engage in it.

WAYNE JACKSON

May 17, 2019

1 A. I wouldn't say a joking way, sir, but more of
2 an -- I don't know how to put it -- acknowledgment of
3 their friend, I guess you could say. I don't know. It
4 just -- it never seemed appropriate to me, though.

5 MR. HORTON: Q. Did you ever hear the word
6 nigger used at Tesla in an intentionally offensive way?

7 A. No, sir, I never did.

8 Q. Have you ever heard of a person named
9 Javier Caballero (phonetic)?

10 A. No, I have not.

11 Q. That's all I have. Thank you very much.

12 MS. STEVENS: No questions.

13 THE WITNESS: Ma'am? Or --

14 MS. JENG: None.

15 MR. ORGAN: I'm just going to do a little
16 follow-up on that.

17 FURTHER EXAMINATION BY MR. ORGAN

18 MR. ORGAN: Q. In terms of this area where you
19 heard the -- was it the A version of the N word or ER
20 version?

21 A. A.

22 Q. A version?

23 A. Yes, sir.

24 Q. And did you --

25 MR. HORTON: Could we get some clarification on

WAYNE JACKSON

May 17, 2019

1 **A. Yes, sir.**

2 Q. You heard the A version of the N word on
3 numerous occasions throughout the factory.

4 Is that true?

5 MR. ARANEDA: Objection. Vague. It misstates
6 his testimony.

7 THE WITNESS: Do I answer?

8 MR. ORGAN: Yes.

9 THE WITNESS: Yes, I did. I mean, like I said,
10 it's -- unfortunately, with music and things of that
11 nature nowadays, it's kind of the norm for these
12 youngsters now, the younger generation, unfortunately.
13 They don't understand the struggles or what people went
14 through with regards to that word.

15 MR. ORGAN: Right.

16 THE WITNESS: So, you know, they don't
17 understand the impact I think it has when they use it,
18 and it's just engrained in society around here, to be
19 honest. You hear it on the street. I mean, I hear it,
20 quite honestly, white people calling each other that at
21 this point in life, which is amazing to me.

22 MR. ORGAN: Q. Because it's offensive to you
23 as an African-American, isn't it --

24 **A. Yes, sir.**

25 Q. -- the use of the A version of the N word,

WAYNE JACKSON
May 17, 2019

1 right? Any version of the N word?

2 A. I don't like the word, period, but, you know, I
3 understand a little more why they do it. I just wish
4 they wouldn't.

5 Q. Right.

6 And did you ever communicate to anybody at,
7 like, Tesla human resources or anything like that about
8 the fact that you're hearing --

9 A. No, sir.

10 Q. -- A version of the N word?

11 A. No, sir, I did not.

12 Q. Did you talk to the two -- the two
13 Asian-American people who you overheard where you have
14 the specific recollection about them saying, What's up,
15 my N word with an A, did you talk to them about the
16 fact --

17 A. Yes.

18 Q. -- that they had used it?

19 A. Yes, sir.

20 THE REPORTER: Wait a minute.

21 THE WITNESS: Sorry.

22 MR. ORGAN: Q. And what did you tell them in
23 terms of after you heard them say -- use the A version
24 of the N word?

25 A. I just basically let them know, you guys

WAYNE JACKSON

May 17, 2019

1 **shouldn't be doing that.**

2 Q. What did they say in response to you telling
3 them they shouldn't be doing that?

4 **A. If I remember correctly, "My bad."**

5 Q. But you said that you had heard the A version
6 of the N word throughout the factory when you were
7 walking around.

8 Is that true?

9 MR. ARANEDA: It misstates his testimony.

10 THE WITNESS: I've heard it on a few occasions.
11 I just can't say just everywhere, but I have heard it a
12 few times, yes.

13 MR. ORGAN: Q. Is it fair to say that you
14 heard the A version of the N word in different parts of
15 the factory?

16 Is that true?

17 MS. JENG: Objection. Vague.

18 THE WITNESS: Yeah, I guess you could say it's
19 different parts, yes.

20 MR. ORGAN: Q. Okay. If you can, tell me, as
21 best you can recall, what are the areas that you recall
22 hearing the A version of the N word at the Tesla
23 factory?

24 **A. On the floor closer to some of the satellite**
25 **cafeterias where people would go to lunch. And they'd**

WAYNE JACKSON

May 17, 2019

1 be having just common conversations.

2 Like I said, I don't -- I honestly don't feel
3 like they were trying to offend anybody. It's just kind
4 of what the culture has evolved into as of late.

5 It's unfortunate, but I don't necessarily feel
6 they were trying to say it in an inoffensive way.

7 Q. Right.

8 They may not have been intending to be
9 offensive, but, certainly, from your perspective --

10 A. Can I --

11 Q. Sure.

12 A. **She's calling me.**

13 MR. HORTON: Take a quick break?

14 MR. ORGAN: Sure.

15 (Whereupon, a recess was held from
16 1:29 p.m. to 1:32 p.m.)

17 MR. ORGAN: Back on the record.

18 Q. In terms of the areas that you heard the
19 N word, you said in the floor area typically near the
20 satellite cafeterias.

21 Is that correct?

22 A. **Yes, sir, where the people would be coming for**
23 **lunch and they'd be walking in groups talking, things**
24 **like that.**

25 Q. And in terms of -- I think the question I was

WAYNE JACKSON

May 17, 2019

1 going to ask you was, you mentioned that you didn't
2 think that the workers who you overheard were intending
3 it to be offensive, but, certainly, as an
4 African-American male, any time anyone uses even -- the
5 A version of the N word, that's offensive to you, isn't
6 it?

7 **A. I wouldn't say that. To be honest, a lot of**
8 **African-Americans use that word amongst each other.**

9 Q. Right.

10 But when an African-American uses that word,
11 the N word, that's different than when people who aren't
12 African-Americans use the word; right?

13 **A. Once again, it depends on which version they're**
14 **using.**

15 Q. Right.

16 But even the A version of the N word is
17 offensive to African-Americans if someone who's not
18 African-American is using it; right?

19 **A. It depends, once again, on the context of how**
20 **they're using it.**

21 Q. Okay.

22 **A. It is offensive, but, like I said, it depends**
23 **on how they're using it, you know.**

24 Q. Well, it's not something that should be used in
25 the workplace --

WAYNE JACKSON

May 17, 2019

1 **A.** There you go.

2 **Q.** -- right?

3 **A.** There you go. It shouldn't be used at all,

4 **so...**

5 **Q.** And where you currently work --

6 **A.** **Uh-hum.**

7 **Q.** -- do you hear the N word there?

8 **A.** **No, sir.**

9 **Q.** All right. And other than at the Tesla
10 factory, have you ever heard the N word used by
11 non-African-Americans in the workplace?

12 **A.** **Yes, sir.**

13 **Q.** Where else?

14 **A.** **Places like Walmart, I've heard their**
15 **associates saying it to each other.**

16 **Q.** Okay.

17 **A.** **I mean, yeah, I have heard it in other places.**

18 **Q.** Did you hear the E-R version of the N word at
19 Tesla?

20 **A.** No, I think that's even a more disparaging
21 version, so a lot of people are super offended by that.

22 **Q.** Right.

23 But you didn't hear that at Tesla; right?

24 **A.** **No, I did not.**

25 **Q.** In terms of the number of times that you heard

WAYNE JACKSON

May 17, 2019

1 the N word with an A at Tesla, how many times -- what's
2 your best estimate of the number times you've heard
3 that?

4 **A. Three, four times, probably.**

5 Q. And did you report that to HR?

6 **A. No, sir.**

7 Q. Why not?

8 **A. Because of the context it was being used in**
9 **wasn't being used, at least in my opinion, to offend.**
10 **It was just people being ignorant.**

11 Q. You do know that some African-Americans are
12 offended by any use of the N word even with the A;
13 correct?

14 **A. And that's their preference, yes, sir.**

15 Q. And in terms of any kind of, like, diversity
16 training on the issue of the use of the N word, were you
17 aware of any such training during the time that you were
18 at the Tesla factory?

19 **A. I couldn't say I do know. No, I don't know. I**
20 **wasn't involved in their orientation or training**
21 **processes, no.**

22 Q. But in terms of your knowledge of whether or
23 not such training occurred, you're not aware of any kind
24 of diversity training that Tesla did around the N word;
25 correct?

WAYNE JACKSON

May 17, 2019

1 **A. I wouldn't have that knowledge, no.**

2 Q. Okay. No further questions.

3 MR. HORTON: Just a quick one.

4 FURTHER EXAMINATION BY MR. HORTON

5 MR. HORTON: Q. Did you ever hear anyone at
6 Tesla who you knew to be a supervisor use the N word
7 ending in A?

8 **A. No, sir.**

9 Q. What do you think is the difference between the
10 N word ending in A and the N word ending E-R?

11 What is the --

12 **A. One is --**

13 Q. -- difference between those --

14 **A. One is -- the way it is now in the culture, I**
15 **guess one is more of, like I say, an acknowledgement of**
16 **a friend.**

17 **Like --**

18 Q. Which --

19 **A. -- a lot of -- a lot of people will say,**
20 **"What's up, my nigga," like "What's up, my friend" type**
21 **of thing. It's not an N-I-G-G-E-R type of deal.**

22 **So to a lot of African-Americans, there is a**
23 **differential between the two.**

24 Q. So the N word ending in A is something of a
25 salutation between friends, in your mind?

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1 A. For African-Americans it is. It's shocking to
2 see other races using it the same, but a lot of
3 African-American cultures are adapted [sic] by other
4 cultures.

5 Q. Thank you.

6 MR. ORGAN: Nothing else.

7 MR. ARANEDA: Do you guys have any follow-ups?

8 MS. JENG: No.

9 MS. STEVEN: No.

10 MR. ORGAN: Great. Thanks a lot.

11 (Whereupon, at the hour of 1:37 p.m., the
12 deposition was concluded.)

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WAYNE JACKSON
May 17, 2019

1 REPORTER'S CERTIFICATE

2 STATE OF CALIFORNIA)
3) ss.
4 COUNTY OF MARIN)

5 I, PATRICIA ROSINSKI, hereby certify:

6 That I am a Certified Shorthand Reporter in the
7 State of California.

8 That prior to being examined, WAYNE JACKSON,
9 the witness named in the foregoing deposition, was by me
10 duly sworn to testify the truth, the whole truth, and
11 nothing but the truth;

12 That said deposition was taken pursuant to
13 Notice of Deposition and agreement between the parties
14 at the time and place therein set forth and was taken
15 down by me in stenotype and thereafter transcribed by me
16 by computer and that the deposition is a true record of
17 the testimony given by the witness.

18 I further certify that I am neither counsel for
19 either, nor related in any way to any party to said
20 action, nor otherwise interested in the result or
21 outcome thereof.

22 Pursuant to Federal Rules of Civil Procedure,
23 Rule 30(e), review of the transcript was not requested
24 before the completion of the deposition.

25 PATRICIA ROSINSKI, CSR No. 4555

May 28, 2019

Exhibit

4

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

---oOo---

DEMETRIC DI-AZ, OWEN DIAZ, and
LAMAR PATTERSON,

Plaintiffs,

No. 3:17-cv-06748-WHO

vs.

TESLA, INC. Dba TESLA MOTORS,
INC.; CITISTAFF SOLUTIONS,
INC.; WEST VALLEY STAFFING
GROUP; CHARTWELL STAFFING
SERVICES, INC.; NEXTSOURCE,
INC.; and DOES 1-50,
inclusive,

Defendants.

_____ /

DEPOSITION OF ANNALISA HEISEN

May 29, 2019

Reported by:

Bridget M. Mattos, CSR No. 11410

ANNALISA HEISEN

May 29, 2019

A P P E A R A N C E S

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ALSO PRESENT: JEAN GER, CCRLG

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FOR THE DEFENDANT NEXTSOURCE, INC.:

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ANNALISA HEISEN

May 29, 2019

1 A P P E A R A N C E S (continued)
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17 (415) 357-4600
18 cstevens@lkclaw.com
19
20
21
22
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25

1 Q. You would agree that use of the "N" word in
2 any form is inappropriate at the Fremont factory?

3 A. Yeah, that's not acceptable language for
4 professional work environment or Tesla's factory.

5 Q. And certainly, use of the "N" word in any
6 form would violate Tesla's antiharassment policy;
7 right?

8 A. If it was found to be substantiated, then it
9 would potentially violate the policy, yes.

10 Q. Can you think of an instance where use of the
11 "N" word in the Tesla factory would not violate
12 Tesla's antiharassment policy?

13 A. Not specifically, no.

14 Q. Are you aware of any training modules that
15 nextSource developed for Tesla relative to the issue
16 of diversity, sexual harassment training?

17 A. I'm not familiar with that, no.

18 MR ORGAN: This is Exhibit 33.

19 Exhibit 33, for the record, is a three-page
20 document Bates-stamped Tesla 217 to 219, and it's the
21 antiharassment and discrimination policy.

22 Q. I'm wondering if you can tell when this
23 particular policy Exhibit 33 was in effect.

24 A. I believe this version of it is a prior
25 version. It's not the most recent one.

ANNALISA HEISEN

May 29, 2019

1 State of California)

2 County of Marin)

3

4 I, Bridget M. Mattos, hereby certify
5 that the witness in the foregoing deposition was by me
6 duly sworn to testify to the truth, the whole truth
7 and nothing but the truth in the within entitled
8 cause; that said deposition was taken at the time and
9 place herein named; that the deposition is a true
10 record of the witness's testimony as reported to the
11 best of my ability by me, a duly certified shorthand
12 reporter and disinterested person, and was thereafter
13 transcribed under my direction into typewriting by
14 computer; that the witness was given an opportunity to
15 read, correct and sign the deposition.

16 I further certify that I am not
17 interested in the outcome of said action nor connected
18 with or related to any of the parties in said action
19 nor to their respective counsel.

20 IN WITNESS WHEREOF, I have hereunder
21 subscribed my hand on May 29, 2019.

22

23 BRIDGET M. MATTOS, CSR NO. 11410

24

25

Exhibit

5

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEMETRIC DI-AZ, OWEN DIAZ, and)	
LAMAR PATTERSON,)	
)	
Plaintiffs,)	
	)	Case No.
vs.	)	3:17-cv-06748-WHO
)	
TESLA, INC. dba TESLA MOTORS,	)	Pages 1 - 142
INC.; CITISTAFF SOLUTIONS, INC.;)	
WEST VALLEY STAFFING GROUP;)	
CHARTWELL STAFFING SERVICES, INC.;)	
and DOES 1-50, inclusive,)	
)	
Defendants.)	
_____)	

VIDEO DEPOSITION OF ERIN MARCONI

MONDAY, OCTOBER 21, 2019

11:39 A.M.

REPORTED BY: LAURA J. MELLINI

CSR NO. 8181, RPR, CCRR

NDS JOB NO.: 220525

1 APPEARANCES OF COUNSEL:

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11
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13
14 SHEPPARD MULLIN RICHTER & HAMPTON LLP

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(INDEX CONTINUED)

ALSO PRESENT:

GREG CLUBB, VIDEO OPERATOR

1 STATE OF CALIFORNIA)

2) ss.

3 COUNTY OF LOS ANGELES)

4

5 I, LAURA J. MELLINI, Certified Shorthand

6 Reporter, Certificate No. 8181, for the State of

7 California, hereby certify:

8 I am the deposition officer that

9 stenographically recorded the testimony in the foregoing
10 deposition;

11 Prior to being examined the deponent was first
12 duly sworn by me;

13 The foregoing transcript is a true record of
14 the testimony given;

15 Before completion of the deposition, review of
16 the transcript [X] was [] was not requested. If
17 requested, any changes made by the deponent (and
18 provided to the reporter) during the period allowed are
19 appended hereto.

20

21 Dated_____.

22

23

24

LAURA J. MELLINI

25

CSR NO. 8181, RPR, CCRR

Exhibit

6

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Telephone: (415) 918.3000
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9 Attorneys for Defendant
10 TESLA, INC. DBA TESLA MOTORS, INC.

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13

14 DEMETRIC DI-AZ, OWEN DIAZ and
15 LAMAR PATTERSON, an individual,

16 Plaintiffs,

17 vs.

18 TESLA, INC. DBA TESLA MOTORS,
19 INC.; CITISTAFF SOLUTIONS, INC.;
20 WEST VALLEY STAFFING GROUP;
21 CHARTWELL STAFFING SERVICES,
22 INC. and DOES 1-10, inclusive ,

Defendants.

Case No. 3:17-cv-06748-WHO

**DEFENDANT TESLA, INC. DBA
TESLA MOTORS, INC.'S INITIAL
DISCOVERY INFORMATION
PURSUANT TO GENERAL ORDER
NO. 71**

23 Defendant Tesla Inc. dba Tesla Motors, Inc. ("Tesla") submits the following
24 information pursuant to General Order No. 71. Tesla reserves the right to rely on
25 witnesses, documents, and other information that may come to it or its counsel's
26 attention through discovery and trial preparation. Tesla further reserves the right to
27 modify or supplement the information and documents provided pursuant to General
28 Order No. 71 as discovery proceeds in this matter.

1 **I. PLAINTIFFS' SUPERVISORS**

2 During their temporary assignments to Tesla, Plaintiff Demetric Di-az and
3 Plaintiff Owen Diaz (collectively "Plaintiffs") were supervised by:

4 A. Javier Caballero: Plaintiff Demetric Di-az

5 B. Ed Romero: Plaintiff Owen Diaz

6 **II. IDENTITY OF PERSON(S) INVOLVED IN MAKING DECISION TO**
7 **TAKE THE ADVERSE ACTION**

8 Tesla does not concede and instead disputes that Plaintiffs were subjected to
9 any adverse actions. Plaintiff Owen Diaz alleges that he abandoned his temporary
10 assignment to Tesla.

11 Javier Caballero recommended that Plaintiff Demetric Di-az's temporary
12 assignment to Tesla be ended in or around October 2015 due to ongoing performance
13 issues. Rovilla Wetle (West Valley) agreed with Mr. Cabellero's recommendation to
14 end Mr. Di-az's temporary assignment to Tesla.

15 **III. PERSONS TESLA BELIEVES TO HAVE KNOWLEDGE OF FACTS**
16 **CONCERNING THE CLAIMS AND DEFENSES AT ISSUE**

17 Since Tesla has not received any formal discovery concerning the factual basis
18 for the claims of Plaintiffs, Tesla cannot fully anticipate or predict all of the issues that
19 may be relevant to its defenses. Nonetheless, based upon the information reasonably
20 available to it, Tesla believes the following persons may have discoverable
21 information concerning the claims and defenses at issues in this lawsuit:

22 A. **Plaintiff Demetric Di-az.** Plaintiff presumably has knowledge regarding
23 the claims in his lawsuit, as well as information pertaining to the
24 mitigation of his alleged damages.

25 B. **Plaintiff Owen Diaz.** Plaintiff presumably has knowledge regarding the
26 claims in his lawsuit, as well as information pertaining to the mitigation
27 of his alleged damages.

- 1 C. **Ludivina Ledesma.** Ms. Ledesma is a Human Resources Manager at
2 CitiStaff and will likely have knowledge regarding Plaintiff Owen Diaz's
3 temporary assignment to Tesla. Ms. Ledesma may be contacted through
4 counsel for CitiStaff.
- 5 D. **Monica De Leon.** Ms. De Leon is CitiStaff's former Staffing Supervisor
6 and will likely have knowledge regarding Plaintiff Owen Diaz's
7 temporary assignment to Tesla.
- 8 E. **Rovilla Wetle.** On information and belief, Ms. Wetle is employed by
9 Defendant West Valley Staffing Group. On information and belief, Ms.
10 Wetle will likely have knowledge regarding Plaintiff Demetric Di-az's
11 temporary assignment to Tesla. Ms. Wetle may be contacted through
12 counsel for Defendant West Valley.
- 13 F. **Terri Garrett.** On information and belief, Ms. Garrett is employed by
14 NextSource. On information and belief, Ms. Garrett will likely have
15 knowledge regarding Plaintiff Owen Diaz's temporary assignment at
16 Tesla. Ms. Garrett can be contacted through counsel for NextSource.
- 17 G. **Wayne Jackson.** On information and belief, Mr. Jackson was employed
18 by NextSource. On information and belief, Mr. Jackson will likely have
19 relevant knowledge of Plaintiff Owen Diaz's temporary assignment to
20 Tesla.
- 21 H. **Veronica Martinez.** On information and belief, Ms. Martinez was
22 employed by Chartwell. On information and belief, Ms. Martinez will
23 likely have relevant knowledge of Plaintiff Ramon Martinez's temporary
24 assignment to Tesla.
- 25
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- 1 I. **Ed Romero.** Mr. Romero worked at Tesla as a Janitorial Supervisor,
2 Production Facilities. Mr. Romero likely will have relevant information
3 regarding Plaintiff Owen Diaz's temporary assignment at Tesla.
- 4 J. **Michael Wheeler.** On information and belief, Mr. Wheeler may have
5 relevant information regarding Plaintiff Owen Diaz's assignment to
6 Tesla.
- 7 K. **Rothaj Foster.** On information and belief, Mr. Foster may have relevant
8 information regarding Plaintiff Owen Diaz's assignment to Tesla.
- 9 L. **Ramon Martinez.** On information and belief, Mr. Martinez works for
10 Chartwell and may have relevant information regarding Plaintiff Owen
11 Diaz's assignment to Tesla.
- 12 M. **Javier Caballero.** Mr. Caballero will likely have knowledge of Plaintiff
13 Demetric Di-az's performance, the discipline received during his
14 temporary assignment, and the decision to end Plaintiff Demetric Di-az's
15 temporary assignment to Tesla. Mr. Caballero may be contacted through
16 counsel of record for Tesla.
- 17 N. **Erin Marconi.** Ms. Marconi is Tesla's former Human Resources
18 Business Partner. Ms. Marconi will likely have knowledge regarding
19 Plaintiffs' temporary assignments at Tesla.
- 20 O. **Victor Quintero.** Mr. Quintero will likely have relevant information
21 regarding Plaintiff Owen Diaz's assignment at Tesla.
- 22 P. **Josue Torres.** Mr. Torres will likely have relevant information regarding
23 Plaintiff Owen Diaz's assignment at Tesla.
- 24 Q. **Joshua Buck.** Mr. Buck will likely have knowledge of Plaintiff Demetric
25 Di-az's temporary assignment to Tesla.
- 26
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1 **R. Krista Washington.** Ms. Washington will likely have knowledge
2 regarding Tesla's policies against discrimination and harassment and its
3 anti-retaliation policy. Ms. Washington may be contacted through
4 counsel of record for Tesla.

5 **IV. PLAINTIFFS' APPLICATION FOR BENEFITS**

6 Tesla is not currently aware of any applications for disability benefits and/or
7 social security disability benefits by Plaintiff Demetric Di-az or Plaintiff Owen Diaz.

8 Dated: March 30, 2018 CONSTANGY, BROOKS, SMITH & PROPHETE, LLP

9
10 By  _____

11 Barbara I. Antonucci
12 Aaron M. Rutschman
13 Attorneys for Defendant
14 TESLA INC. DBA TESLA MOTORS, INC.
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23 Case 3:17-cv-06748-WHO Document 187-3 Filed 04/20/20 Page 54 of 170

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PROOF OF SERVICE

*U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:17-cv-06748-WHO*

I am over 18 years of age and not a party to the within entitled action. I am employed at the law firm of CONSTANGY, BROOKS, SMITH & PROPHETE LLP, and my business address is 351 California Street, Suite 200, San Francisco, California 94104. On March 30, 2018, I served a copy of the following:

DEFENDANT TESLA, INC. DBA TESLA MOTORS, INC.'S INITIAL DISCOVERY INFORMATION PURSUANT TO GENERAL ORDER NO. 71; AND [ACCOMPANYING DOCUMENT PRODUCTION] TESLA-000001 TO TESLA-0000307

on the attorney(s) for the parties to this action by the following method:

BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) to be sent from e-mail address cshanahan@constangy.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Lawrence Anthony Organ
Navruz Avloni
California Civil Rights Law Group
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San Anselmo, CA 94960
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Attorneys for Plaintiffs'
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Attorneys for Defendant
WEST VALLEY STAFFING GROUP

[FEDERAL] I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made, under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 30, 2018 at San Francisco, California.


Cristi Shanahan

Exhibit

7

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11 Attorneys for Defendant
12 TESLA, INC. DBA TESLA MOTORS, INC.

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12
13 DEMETRIC DI-AZ, OWEN DIAZ and
14 LAMAR PATTERSON, an individual,

15 Plaintiffs,

16 vs.

17 TESLA, INC. DBA TESLA MOTORS,
18 INC.; CITISTAFF SOLUTIONS, INC.;
19 WEST VALLEY STAFFING GROUP;
20 CHARTWELL STAFFING SERVICES,
21 INC. and DOES 1-10, inclusive ,

22 Defendants.

Case No. 3:17-cv-06748-WHO

**DEFENDANT TESLA INC.'S
RESPONSE TO PLAINTIFF OWEN
DIAZ' INTERROGATORIES – SET
ONE**

23 PROPOUNDING PARTY: Plaintiff, OWEN DIAZ

24 RESPONDING PARTY: Defendant, TESLA, INC. DBA TESLA MOTORS,
25 INC.

26 SET NO.: One

1 Defendant Tesla, Inc. dba Tesla Motors, Inc. ("Defendant") hereby responds to
2 Plaintiff Owen Diaz's ("Plaintiff") Interrogatories, Set One, pursuant to Federal Rules
3 of Civil Procedure, Rule 33, as follows:

4 **PRELIMINARY STATEMENTS AND GENERAL OBJECTIONS**

5 1. Defendant has not completed its investigation of the facts relating to this
6 case, has not fully completed its discovery in this action, and has not completed its
7 preparation for trial. Defendant's responses herein are based upon and reflect the
8 current state of its knowledge, and are made without prejudice to Defendant's right to
9 produce and utilize any subsequently discovered evidence or interpretations thereof.

10 2. All the responses contained herein are based only upon such information
11 and documents which are presently available to and specifically known to Defendant
12 and disclose only those contentions which presently occur to Defendant. It is
13 anticipated that further discovery, independent investigation, legal research and
14 analysis will supply additional facts, and meaning to the known facts, as well as
15 establish entirely new factual conclusions and legal contentions, all of which may lead
16 to substantial additions, changes and variations to the contentions set forth herein.

17 3. The following responses are given without prejudice to Defendant's right
18 to produce evidence of any subsequently discovered fact or facts revealed by further
19 investigation. Defendant accordingly reserved the right to change any and all answers
20 herein as additional facts are ascertained, analyses are made, legal research is
21 completed and contentions are made. The answers contained herein are made in a
22 good faith effort to supply as much factual information as is presently known but in no
23 way may be used to the prejudice of this responding party in relation to further
24 discovery, research or analysis.

25 4. To the extent that these Interrogatories seek information privileged
26 against disclosure by the attorney-client privilege and/or protected by the attorney
27 work-product doctrine, Defendant objects to them.

5. No incidental or implied admissions are intended by these responses. The fact that Defendant responds to or objects to any interrogatory should not be taken as an admission that Defendant accepts or admits the existence of any facts assumed by such interrogatory, or that such response or objection constitutes admissible evidence as to any such assumed facts. The fact that Defendant responds to part of or all of any interrogatory is not intended to be, and shall not be construed as, a waiver by Defendant of any part of any objection to any interrogatory.

6. Each of the foregoing general objections is hereby incorporated by reference into each and every one of the responses contained herein as though fully set forth therein, regardless of whether any or all of the foregoing general objections are repeated in response to any request.

RESPONSE TO INTERROGATORIES – SET ONE

INTERROGATORY NO. 1:

Describe in comprehensive detail each position PLAINTIFF has held with YOU, including the dates PLAINTIFF held such jobs. (In responding to this interrogatory, the term describe includes, but is not limited to, the job title, functions, hours and responsibilities for each job held by PLAINTIFF.)

RESPONSE TO INTERROGATORY NO. 1:

Defendant objects to this interrogatory on the grounds that it is overbroad, ambiguous, vague, uncertain, and unintelligible with regard to the definition of the term “describe” and the phrase “[d]escribe in comprehensive detail each position PLAINTIFF has held with YOU.” Defendant objects to this interrogatory on the grounds that Plaintiff was never an employee of Defendant. Subject to and without waiving its objections and to the extent it is understood, Defendant responds: Elevator Operator; Elevator Lead. Plaintiff was temporarily assigned to Defendant from approximately August 16, 2015 to March 20, 2016.

INTERROGATORY NO. 2:

Identify the business relationship between YOU and Citistaff Solutions, Inc.

RESPONSE TO INTERROGATORY NO. 2:

Defendant objects to this interrogatory on the grounds that it is overbroad, ambiguous, vague and uncertain with regard to the phrase “Identify the business relationship between YOU and Tesla, Inc.” Defendant further objects to this interrogatory on the grounds that it seeks information not relevant to any party’s claims or defenses nor proportional to the needs of this case. Defendant further objects to this interrogatory to the extent that it seeks confidential and proprietary business information.

Subject to and without waiving its objections and to the extent it is understood and limiting its response to information that reasonably pertains to the claims in this case, Defendant responds: Defendant contracts with NextSource to staff temporary employees at its facilities. It is Defendant’s understanding that NextSource contracts with CitiStaff, Solutions, Inc., among other third parties, to secure temporary employees to work at its facilities. Discovery is ongoing and Defendant reserves the right to supplement its response.

INTERROGATORY NO. 3:

Identify the business relationship between YOU and NextSource.

RESPONSE TO INTERROGATORY NO. 3:

Defendant objects to this interrogatory on the grounds that it is overbroad, ambiguous, vague and uncertain with regard to the phrase “Identify the business relationship between YOU and NextSource.” Defendant further objects to this interrogatory on the grounds that it seeks information not relevant to any party’s claims or defenses nor proportional to the needs of this case. Defendant further

1 objects to this interrogatory to the extent that it seeks confidential and proprietary
2 business information.

3 Subject to and without waiving its objections and to the extent it is understood,
4 and limiting its response to information that reasonably pertains to the claims in this
5 case, Defendant responds: Defendant contracts with NextSource to staff temporary
6 employees at its facilities. It is Defendant's understanding that NextSource contracts
7 with CitiStaff, Solutions, Inc., among other third parties, to secure temporary
8 employees to work at its facilities. Discovery is ongoing and Defendant reserves the
9 right to supplement its response.
10

11 **INTERROGATORY NO. 4:**

12 Please describe all formal complaints made by Tesla, Inc. employees
13 working at the TESLA FACTORY in the last ten years RELATED TO harassment
14 based on race or color. (In responding to this interrogatory, the term formal
15 complaint includes, but it is not limited to, complaints with the EEOC, DFEH, or
16 civil actions for harassment based on race or color. Please list the name, address,
17 phone number and job title of the complainant, the date of the complaint, name of
18 the person listed as the harasser and description of the complaint.)

19 **RESPONSE TO INTERROGATORY NO. 4:**

20 Defendant objects to this interrogatory on the grounds that it is overbroad,
21 ambiguous, vague and uncertain with regard to the phrase "all formal complaints
22 made by Tesla, Inc. employees working at the TESLA FACTORY in the last ten
23 years RELATED TO harassment based on race or color. (In responding to this
24 interrogatory, the term formal complaint includes, but it is not limited to,
25 complaints with the EEOC, DFEH, or civil actions for harassment based on race
26 or color. Please list the name, address, phone number and job title of the
27 complainant, the date of the complaint, name of the person listed as the harasser

1 and description of the complaint.).” Defendant further objects to this interrogatory to
2 the extent that it seeks information not relevant to any party’s claims or defenses nor
3 proportional to the needs of this case. Defendant further objects to this interrogatory
4 to the extent that it seeks documents and information pertaining to employees or
5 former employees of Defendant and thereby seeks to invade privacy rights established
6 by the California Constitution. Defendant further objects to this interrogatory on the
7 grounds it seeks information protected by the attorney-client privilege and/or by the
8 attorney work product doctrine. Defendant further objects to this request on the
9 grounds that it is burdensome and harassing in that it is overbroad as to time and not
10 limited to Plaintiff or the specific department(s) Plaintiff temporarily worked in and it
11 seeks information that is equally available to Plaintiff through public court records.
12 This request impermissibly seeks “me too” evidence that is not relevant to the claims
13 and defenses in this case.

14
15 **INTERROGATORY NO. 5:**

16 Please describe in comprehensive detail all steps taken to prevent future race
17 harassment or discrimination as a result of PLAINTIFF's complaints. (In responding
18 to this interrogatory, the term describe includes but is not limited to dates and
19 actions that were taken in response to each complaint.)

20 **RESPONSE TO INTERROGATORY NO. 5:**

21 Defendant objects to this interrogatory on the grounds that it is overbroad,
22 ambiguous, vague and uncertain with regard to the phrase “all steps taken to prevent
23 future race harassment or discrimination as a result of PLAINTIFF's complaints. (In
24 responding to this interrogatory, the term describe includes but is not limited to dates
25 and actions that were taken in response to each complaint.).” Defendant further
26 objects to this interrogatory to the extent that it seeks information not relevant to any
27 party’s claims or defenses nor proportional to the needs of this case. Defendant

1 further objects to this interrogatory on the grounds it seeks information protected by
2 the attorney-client privilege and/or by the attorney work product doctrine. Defendant
3 further objects to this request on the grounds that it is overbroad and vague and
4 ambiguous as to Plaintiff's alleged "complaints," which are not defined here.

5 Subject to and without waiving its objections and to the extent it is understood,
6 and limiting its response to information that reasonably pertains to the claims in this
7 case, Defendant responds: Immediately upon receipt of the only complaint Ed Romero
8 received from Plaintiff Owen Diaz regarding alleged harassment, received on or
9 around January 22, 2016, documents bates labeled TESLA 0000010-13, Tesla took
10 immediate action, as it normally does, and the email was reported to the employers
11 (i.e. NextSource and Chartwell) of record for the alleged harasser, Ramon Martinez,
12 and a prompt investigation ensued. Victor Quintero agreed with the recommendation
13 by NextSource and Chartwell to suspend Mr. Martinez without pay and to issue him a
14 final written warning. Mr. Quintero also recommended additional diversity training
15 for Mr. Martinez. Josue Torres also informed its team members not to draw on
16 materials in its facilities at all going forward. Discovery is ongoing and Defendant
17 reserves the right to supplement its response.

18
19 **INTERROGATORY NO. 6:**

20 Please describe in comprehensive detail how Tesla, Inc. educates its employees
21 to ensure familiarity with its policies and practices regarding race harassment or
22 discrimination. (In responding to this interrogatory, the term employee includes, but is
23 not limited to, managers.)

24 **RESPONSE TO INTERROGATORY NO. 6:**

25 Defendant objects to this interrogatory on the grounds that it is overbroad,
26 ambiguous, vague and uncertain with regard to the phrase "describe in comprehensive
27 detail how Citistaff Solutions, Inc. educates its employees to ensure familiarity with

1 its policies and practices regarding race harassment or discrimination. (In responding
2 to this interrogatory, the term employee includes, but is not limited to, managers.).”
3 Defendant further objects to this interrogatory to the extent that it seeks information
4 not relevant to any party’s claims or defenses nor proportional to the needs of this
5 case. Defendant further objects to this interrogatory on the grounds it seeks
6 information protected by the attorney-client privilege and/or by the attorney work
7 product doctrine. Defendant further objects to this request on the grounds that it is
8 burdensome and harassing in that it is overbroad and vague and ambiguous as to time
9 and not limited in any manner in geographical scope.

10
11 **INTERROGATORY NO. 7:**

12 Please provide the last best-known contact information for Ramon Martinez.
13 (In responding to this interrogatory, the term contact information, includes, but is
14 not limited to, address, phone number and email.)

15 **RESPONSE TO INTERROGATORY NO. 7:**

16 Defendant further objects to this interrogatory to the extent that it seeks
17 documents and information pertaining to employees or former employees of
18 Defendant and thereby seeks to invade privacy rights established by the California
19 Constitution. Subject to and without waiving its objections and to the extent it is
20 understood, Defendant responds: Ramon Martinez was never a Tesla employee. Mr.
21 Martinez’s last known contact information is: ramonmartinez7113@gmail.com.

22
23 **INTERROGATORY NO. 8:**

24 Please provide the last best-known contact information for Edward Romero.
25 (In responding to this interrogatory, the term contact information, includes, but is
26 not limited to, address, phone number and email.)

RESPONSE TO INTERROGATORY NO. 8:

Defendant further objects to this interrogatory to the extent that it seeks documents and information pertaining to employees or former employees of Defendant and thereby seeks to invade privacy rights established by the California Constitution. Subject to and without waiving its objections and to the extent it is understood, Defendant responds: Mr. Romero is a former Tesla employee but he is represented by counsel for Tesla in this action. Accordingly, Mr. Romero may be contacted through counsel of record for Tesla.

INTERROGATORY NO. 9:

If Ramon Martinez is no longer employed at TESLA, please list all the reasons for his separation.

RESPONSE TO INTERROGATORY NO. 9:

Defendant further objects to this interrogatory to the extent that it seeks documents and information pertaining to employees or former employees of Defendant and thereby seeks to invade privacy rights established by the California Constitution. Subject to and without waiving its objections and to the extent it is understood, Defendant responds: Ramon Martinez was never a Tesla employee.

INTERROGATORY NO. 10:

Describe every fringe benefit available to PLAINTIFF as part of his employment with Tesla, Inc. (In responding to this interrogatory, the term describe includes, but is not limited to, the nature, approximate annual dollar value to PLAINTIFF, and minimum number of work hours to qualify for each fringe benefit).

RESPONSE TO INTERROGATORY NO. 10:

Defendant objects to this interrogatory on the grounds that it is overbroad, ambiguous, vague and uncertain with regard to the phrase “[d]escribe every fringe

1 benefit available to PLAINTIFF as part of his employment with Citistaff Solutions,
2 Inc. (In responding to this interrogatory, the term describe includes, but is not limited
3 to, the nature, approximate annual dollar value to PLAINTIFF, and minimum number
4 of work hours to qualify for each fringe benefit).” Defendant further objects to this
5 interrogatory on the grounds that the definition of the term “describe” is overbroad,
6 burdensome and harassing. Defendant is not responsible for calculating the
7 approximately annual dollar value to plaintiff of benefits he was entitled to from
8 Defendant, if any.

9 Subject to and without waiving its objections and to the extent it is understood,
10 and limiting its response to information that reasonably pertains to the claims in this
11 case, Defendant responds: Plaintiff was never an employee of Defendant and
12 therefore he was not entitled to any “fringe benefits” from Defendant.

13
14 Dated: June 4, 2018 CONSTANGY, BROOKS, SMITH & PROPHETE, LLP

15
16 By /s/ Barbara Antonucci
17 Barbara I. Antonucci
18 Aaron M. Rutschman
19 Attorney for Defendant
20 TESLA, INC. DBA TESLA MOTORS, INC.

PROOF OF SERVICE

*U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:17-cv-06748-WHO*

I am over 18 years of age and not a party to the within entitled action. I am employed at the law firm of CONSTANGY, BROOKS, SMITH & PROPHETE LLP, and my business address is 2029 Century Park East, Suite 1100, Los Angeles, California 90067. On June 4, 2018, I served a copy of the following:

1. DEFENDANT TESLA, INC.'S RESPONSE TO PLAINTIFF OWEN DIAZ' INTERROGATORIES – SET ONE

on the attorney(s) for the parties to this action by the following method:

X (BY MAIL) By placing same, with postage fully prepared, in the United States Mail, addressed as indicated below. I am readily familiar with the practices of these law offices for collection and processing of correspondence for mailing with the United States Postal Service. Such correspondence is deposited with the United States Postal Service in the same day in the ordinary course of business.

Lawrence Anthony Organ
Navruz Avloni
California Civil Rights Law Group
332 San Anselmo Avenue
San Anselmo, CA 94960
Tel.: 415-453-4740
Fax: 415-785-7352
Email: larry@civilrightsca.com
Email: navruz@civilrightsca.com

*Attorneys for Plaintiffs'
DEMETRIC DI-AZ, OWEN DIAZ,*

Fenn C. Horton, III
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225 West Santa Clara Street, Suite 1500
San Jose, CA 95113-1752
Tel.: 408-286-5100
Fax.: 408-286-5722
Email: fhorton@pahl-mccay.com
Email: hsimvoulakis@pahl-mccay.com

*Attorneys for Defendant
WEST VALLEY STAFFING GROUP*

[FEDERAL] I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made, under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 4, 2018 at Los Angeles, California.


Lorna Hatch

Exhibit

8

1 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
A Limited Liability Partnership
2 Including Professional Corporations
TRACEY A. KENNEDY, Cal. Bar No. 150782
3 333 South Hope Street, 43rd Floor
Los Angeles, California 90071-1422
4 Telephone: 213-620-1780
Facsimile: 213-620-1398
5 Email: tkennedy@sheppardmullin.com

6 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
A Limited Liability Partnership
7 Including Professional Corporations
PATRICIA M. JENG, Cal. Bar No. 272262
8 REANNE SWAFFORD-HARRIS, Cal. Bar No. 305558
Four Embarcadero Center, 17th Floor
9 San Francisco, California 94111-4109
Telephone: 415.434.9100
10 Facsimile: 415.434.3947
Email: pjeng@sheppardmullin.com
11 rswafford-harris@sheppardmullin.com

12 Attorneys for Defendant,
13 TESLA, INC. DBA TESLA MOTORS, INC.

14
15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**

17 DEMETRIC DI-AZ, OWEN DIAZ AND
18 LAMAR PATTERSON

19 Plaintiffs,

20 v.

21 TESLA, INC. DBA TESLA MOTORS,
INC., CITISTAFF SOLUTIONS, INC.;
22 WEST VALLEY STAFFING GROUP;
CHARTWELL STAFFING SERVICES,
23 INC.; NEXTSOURCE, INC.; and DOES
1-10, inclusive

24 Defendants.
25

Case No. 17-cv-06748-WHO

**DEFENDANT TESLA, INC. DBA TESLA
MOTORS, INC.'S RESPONSE TO PLAINTIFF
OWEN DIAZ'S INTERROGATORIES, SET
THREE**

Amended Complaint Filed: December 26, 2018
Trial Date: November 18, 2019

1 PROPOUNDING PARTY: Plaintiff OWEN DIAZ
 2 RESPONDING PARTY: Defendant TESLA, INC. DBA TESLA MOTORS, INC.
 3 SET NO.: THREE

4 **PRELIMINARY STATEMENT**

5 Pursuant to Federal Rule of Civil Procedure 33, Defendant Tesla, Inc. dba Tesla Motors,
 6 Inc. ("Defendant") hereby responds to Plaintiff Owen Diaz's ("Plaintiff") Interrogatories, Set
 7 Three.

8 The following responses and objections have been prepared prior to the completion of
 9 Defendant's investigation, discovery, and preparation for trial in this action. The responses and
 10 objections are based only on information, facts, and documents currently available and known to
 11 Defendant. Defendant reserves its right to make changes to the responses and objections if it
 12 appears that omissions or errors have been made in them, or that further and more accurate
 13 information, facts, and/or documents are available, but Defendant is under no obligation to do so.
 14 Defendant also reserves its right to rely upon and/or introduce into evidence at trial or any pre-trial
 15 proceeding any additional information, facts, and/or documents.

16 Defendant's responses and objections are for the purpose of discovery only, and are not an
 17 admission or acceptance that any response, fact, or document is relevant and/or admissible into
 18 evidence. Defendant reserves its right to object to the admissibility of any response, fact, or
 19 document at the time of trial or any pre-trial proceeding.

20 Defendant provides the following responses subject to, and without waiving the foregoing
 21 Preliminary Statement, which is incorporated by reference into each response below.

22 **GENERAL OBJECTIONS**

23 1. Defendant reserves the right to object on any ground at any time to such other or
 24 supplemental Interrogatories, or any other discovery, as Plaintiff may at any time propound
 25 involving the subject matter of the Interrogatories.

26 2. Defendant objects to the Interrogatories on the grounds and to the extent they seek
 27 information outside the possession, custody, or control of Defendant and that is not within
 28 Defendant's personal knowledge.

1 3. Defendant objects to the Interrogatories because they are overbroad and unduly
2 burdensome, and seek information that is neither relevant nor reasonably calculated to lead to the
3 discovery of admissible evidence.

4 4. Defendant objects to the Interrogatories on the grounds and to the extent they call
5 for information which is protected by the by the attorney-client privilege, that was prepared in
6 anticipation of litigation for trial or is covered by the work product doctrine, or which constitutes
7 information which is privileged or related to confidential trade secrets or the right or privilege of
8 privacy (including the freedom of association and financial privacy, the right of privacy held by
9 non-party individuals with respect to their employment records).

10 Each of these general objections is incorporated by reference into each set of specific
11 responses to each Interrogatory set forth below. The fact that any of these general objections is set
12 forth again specifically in response to any of the Interrogatories shall not be construed as a waiver
13 of any of the other general objections set forth herein.

14 **RESPONSE TO INTERROGATORIES**

15 **INTERROGATORY NO. 14:**

16 Please provide the last, best-known contact information of Judy Timbreza.

17 **RESPONSE TO INTERROGATORY NO. 14:**

18 Defendant objects to this request on the grounds that it is overbroad, ambiguous, vague and
19 uncertain with regard to the phrase “best-known.” Defendant objects that this interrogatory is not
20 limited in time or scope, and thus is overbroad, unduly burdensome, oppressive, and harassing.
21 Defendant further objects to the extent this interrogatory is invasive of the privacy rights and
22 confidentiality of third-party non-litigants. Defendant further objects to the extent this
23 interrogatory seeks information that is not relevant to the claims or defenses and/or proportional to
24 the needs of the case, considering the importance of the issues at stake in the action, the amount in
25 controversy, the parties’ relative access to relevant information, the parties’ resources, the
26 importance of the discovery in resolving the issues, and whether the burden or expense of the
27 proposed discovery outweighs its likely benefit.

28

1 Subject to and without waiving any objections, Defendant responds as follows: Judy
 2 Timbreza was never a Tesla employee. The last known contact information that Tesla has for
 3 Judy Timbreza is judyannafuan18@gmail.com.

4 **INTERROGATORY NO. 15:**

5 Please DESCRIBE in comprehensive detail each position Judy Timbreza has held during
 6 his employment at the TESLA FACTORY from 2014 to present. (For the purposes of responding
 7 to this interrogatory, the term “DESCRIBE” means to list, for each position, the job title, job
 8 duties, hours worked, and dates the position was held.)

9 **RESPONSE TO INTERROGATORY NO. 15:**

10 Defendant objects to this interrogatory on the grounds that it is vague and ambiguous as to
 11 the term(s) and/or phrase(s): “comprehensive detail,” “position,” and “employment at TESLA
 12 FACTORY.” Defendant further objects to the extent this interrogatory is invasive of the privacy
 13 rights and confidentiality of third-party non-litigants. Defendant further objects to the extent this
 14 interrogatory seeks information that is not relevant to the claims or defenses and/or proportional to
 15 the needs of the case, considering the importance of the issues at stake in the action, the amount in
 16 controversy, the parties’ relative access to relevant information, the parties’ resources, the
 17 importance of the discovery in resolving the issues, and whether the burden or expense of the
 18 proposed discovery outweighs its likely benefit. Defendant objects that this interrogatory lacks
 19 foundation, and assumes facts not in evidence, particularly, that Judy Timbreza had an assigned
 20 schedule of “hours worked,” and/or recorded the same. Defendant further objects to the extent
 21 this interrogatory necessitates the preparation or the making of a compilation, abstract, audit, or
 22 summary.

23 Subject to and without waiving any objections, Defendant responds as follows: Judy
 24 Timbreza was never a Tesla employee.

25 **INTERROGATORY NO. 16:**

26 Please DESCRIBE in comprehensive detail each position Edward Romero has held during
 27 his employment at the TESLA FACTORY from 2014 to present. (For the purposes of responding
 28

1 to this interrogatory, the term “DESCRIBE” means to list, for each position, the job title, job
2 duties, hours worked, and dates the position was held.)

3 **RESPONSE TO INTERROGATORY NO. 16:**

4 Defendant objects to this interrogatory on the grounds that it is vague and ambiguous as to
5 the term(s) and/or phrase(s): “comprehensive detail,” “position,” and “employment at TESLA
6 FACTORY.” Defendant further objects to the extent this interrogatory is invasive of the privacy
7 rights and confidentiality of third-party non-litigants and/or current or former employees of
8 Defendant. Defendant further objects to the extent this interrogatory seeks information that is not
9 relevant to the claims or defenses and/or proportional to the needs of the case, considering the
10 importance of the issues at stake in the action, the amount in controversy, the parties’ relative
11 access to relevant information, the parties’ resources, the importance of the discovery in resolving
12 the issues, and whether the burden or expense of the proposed discovery outweighs its likely
13 benefit. Defendant objects that this interrogatory lacks foundation, and assumes facts not in
14 evidence, particularly, that Edward Romero had an assigned schedule of “hours worked,” and/or
15 recorded the same. Defendant further objects to the extent this interrogatory necessitates the
16 preparation or the making of a compilation, abstract, audit, or summary.

17 Subject to and without waiving any objections, Defendant responds as follows: Edward
18 Romero’s position was Janitorial Supervisor, Production Facilities from on or about October 12,
19 2015 through on or about August 4, 2017.

20 **INTERROGATORY NO. 17:**

21 Please DESCRIBE in comprehensive detail each position Victor Quintero has held during
22 his employment at the TESLA FACTORY from 2014 to present. (For the purposes of responding
23 to this interrogatory, the term “DESCRIBE” means to list, for each position, the job title, job
24 duties, hours worked, and dates the position was held.)

25 **RESPONSE TO INTERROGATORY NO. 17:**

26 Defendant objects to this interrogatory on the grounds that it is vague and ambiguous as to
27 the term(s) and/or phrase(s): “comprehensive detail,” “position,” and “employment at TESLA
28 FACTORY.” Defendant further objects to the extent this interrogatory is invasive of the privacy

1 rights and confidentiality of third-party non-litigants and/or current or former employees of
 2 Defendant. Defendant further objects to the extent this interrogatory seeks information that is not
 3 relevant to the claims or defenses and/or proportional to the needs of the case, considering the
 4 importance of the issues at stake in the action, the amount in controversy, the parties' relative
 5 access to relevant information, the parties' resources, the importance of the discovery in resolving
 6 the issues, and whether the burden or expense of the proposed discovery outweighs its likely
 7 benefit. Defendant objects that this interrogatory lacks foundation, and assumes facts not in
 8 evidence, particularly, that Victor Quintero had an assigned schedule of "hours worked," and/or
 9 recorded the same. Defendant further objects to the extent this interrogatory necessitates the
 10 preparation or the making of a compilation, abstract, audit, or summary.

11 Subject to and without waiving any objections, Defendant responds as follows: Victor
 12 Quintero's position is Manager, Recycling Services from May 12, 2015 through the date of this
 13 response.

14 **INTERROGATORY NO. 18:**

15 Please DESCRIBE in comprehensive detail each position Ramon Martinez held during his
 16 employment at the TESLA FACTORY. (For the purposes of responding to this interrogatory, the
 17 term "DESCRIBE" means to list, for each position, the job title, job duties, hours worked, and
 18 dates the position was held.)

19 **RESPONSE TO INTERROGATORY NO. 18:**

20 Defendant objects to this interrogatory on the grounds that it is vague and ambiguous as to
 21 the term(s) and/or phrase(s): "comprehensive detail," "position," and "employment at TESLA
 22 FACTORY." Defendant further objects that this interrogatory is not limited in time or scope, and
 23 thus is overbroad, unduly burdensome, oppressive, and harassing. Defendant further objects to the
 24 extent this interrogatory is invasive of the privacy rights and confidentiality of third-party non-
 25 litigants and/or current or former employees of Defendant. Defendant further objects to the extent
 26 this interrogatory seeks information that is not relevant to the claims or defenses and/or
 27 proportional to the needs of the case, considering the importance of the issues at stake in the
 28 action, the amount in controversy, the parties' relative access to relevant information, the parties'

resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Defendant objects that this interrogatory lacks foundation, and assumes facts not in evidence, particularly, that Ramon Martinez had an assigned schedule of “hours worked,” and/or recorded the same. Defendant further objects to the extent this interrogatory necessitates the preparation or the making of a compilation, abstract, audit, or summary.

Subject to and without waiving any objections, Defendant responds as follows: Ramon Martinez was not employed by Tesla during the time that plaintiff Owen Diaz or Plaintiff Demetric Di-az worked at Tesla. Ramon Martinez’s position from January 14, 2019 to the date of this response is Lead Material Handler.

INTERROGATORY NO. 19:

Please DESCRIBE in comprehensive detail each position Joyce DelaGrande has held during her employment at the TESLA FACTORY. (For the purposes of responding to this interrogatory, the term “DESCRIBE” means to list, for each position, the job title, job duties, hours worked, and dates the position was held.)

RESPONSE TO INTERROGATORY NO. 19:

Defendant objects to this interrogatory on the grounds that it is vague and ambiguous as to the term(s) and/or phrase(s): “comprehensive detail,” “position,” and “employment at TESLA FACTORY.” Defendant further objects that this interrogatory is not limited in time or scope, and thus is overbroad, unduly burdensome, oppressive, and harassing. Defendant further objects to the extent this interrogatory is invasive of the privacy rights and confidentiality of third-party non-litigants and/or current or former employees of Defendant. Defendant further objects to the extent this interrogatory seeks information that is not relevant to the claims or defenses and/or proportional to the needs of the case, considering the importance of the issues at stake in the action, the amount in controversy, the parties’ relative access to relevant information, the parties’ resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Defendant objects that this interrogatory lacks foundation, and assumes facts not in evidence, particularly, that Joyce

1 DelaGrande had an assigned schedule of “hours worked,” and/or recorded the same. Defendant
2 further objects to the extent this interrogatory necessitates the preparation or the making of a
3 compilation, abstract, audit, or summary.

4 Subject to and without waiving any objections, Defendant responds as follows: Joyce
5 Delagrande’s position from August 20, 2012 to November 30, 2012 was Production Associate; her
6 position from December 1, 2012 to June 31, 2013 was Supervisor Manufacturing; her position
7 from July 1, 2013 to October 30, 2015 was Associate Manager Supply Chain; her position from
8 October 31, 2015 to July 8, 2017 was Supervisor Supply Chain; and her position from July 9,
9 2017 to present is Associate Manager Supply Chain.

10 **INTERROGATORY NO. 20:**

11 If Ramon Martinez is no longer working at TESLA, please list all the reasons for his
12 separation.

13 **RESPONSE TO INTERROGATORY NO. 20:**

14 Defendant objects to this interrogatory on the grounds that it is vague and ambiguous as to
15 the term(s) and/or phrase(s): “working,” and “separation.” Defendant further objects to the extent
16 this interrogatory is invasive of the privacy rights and confidentiality of third-party non-litigants
17 and/or current or former employees of Defendant. Defendant further objects to the extent this
18 interrogatory seeks information that is not relevant to the claims or defenses and/or proportional to
19 the needs of the case, considering the importance of the issues at stake in the action, the amount in
20 controversy, the parties’ relative access to relevant information, the parties’ resources, the
21 importance of the discovery in resolving the issues, and whether the burden or expense of the
22 proposed discovery outweighs its likely benefit. Defendant objects to the extent this interrogatory
23 lacks foundation, and assumes facts not in evidence. Defendant further objects to the extent this
24 interrogatory necessitates the preparation or the making of a compilation, abstract, audit, or
25 summary.

26 ///

27 ///

28 ///

1 Subject to and without waiving any objections, Defendant responds as follows: Not
2 applicable.

3
4 Dated: May 24, 2019

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

5
6 By: 

7 TRACEY A. KENNEDY
8 PATRICIA M. JENG
9 REANNE SWAFFORD-HARRIS

10 Attorneys for Defendant
11 TESLA, INC. dba TESLA MOTORS, INC.
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CERTIFICATE OF SERVICE

Demetric Di-Az, et al. v. Tesla, Inc., et al.
USDC, Northern District of California, Case No. 3:17-cv-06748-WHO

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of San Francisco, State of California. My business address is Four Embarcadero Center, 17th Floor, San Francisco, CA 94111-4109.

On May 24, 2019, I served true copies of the following document(s) described as:

**DEFENDANT TESLA, INC. DBA TESLA MOTORS, INC.'S RESPONSE TO PLAINTIFF
OWEN DIAZ'S INTERROGATORIES, SET THREE**

on the interested parties in this action as follows:

SEE SERVICE LIST

☒ **BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with the firm's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am a resident or employed in the county where the mailing occurred.

☐ **BY FAX TRANSMISSION:** I faxed a copy of the document(s) to the persons at the fax numbers listed in the Service List. The telephone number of the sending facsimile machine was 415.434.3947. The transmission was reported as complete and without error. No error was reported by the fax machine that I used. A transmission report was properly issued by the sending fax machine.

☐ **BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of the document(s) to be sent from e-mail address eruiz@sheppardmullin.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ **BY OVERNIGHT DELIVERY:** I enclosed said document(s) in an envelope or package provided by the overnight service carrier and addressed to the persons at the addresses listed in the Service List. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight service carrier or delivered such document(s) to a courier or driver authorized by the overnight service carrier to receive documents.

☐ **BY PERSONAL SERVICE:** I personally delivered the document(s) to the person at the addresses listed in the Service List. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package clearly labeled to identify the attorney being served with a receptionist or an individual in charge of the office. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not less than 18 years of age between the hours of eight in the morning and six in the evening.

1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct.

3 Executed on May 24, 2019, at San Francisco, California.
4

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7 Elena E. Ruiz
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SERVICE LIST

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Navruz Avloni, Esq.

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CALIFORNIA CIVIL RIGHTS LAW GROUP

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hsimvoulakis@pahl-mccay.com

Exhibit

9

ATTORNEY OR PARTY WITHOUT ATTORNEY: Lawrence A. Organ (SBN:175503) California Civil Rights Law Group 332 San Anselmo Avenue San Anselmo, CA 94960 TELEPHONE NO.: (415) 453-4740 FAX (415) 785-7352 NO.: ATTORNEY FOR: Plaintiff	FOR COURT USE ONLY
US DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 450 Golden Gate Avenue MAILING ADDRESS: 450 Golden Gate Avenue CITY AND ZIP CODE: San Francisco, CA, 94102 BRANCH NAME: San Francisco/Oakland Division	
PLAINTIFF: DEMETRIC DI-AZ and OWEN DIAZ DEFENDANT: TESLA, INC. dba TESLA MOTORS, INC, et al.	CASE NUMBER: 3:17-CV-06748-WHO
DECLARATION OF NON-SERVICE	Ref. No. or File No.:

- I am over 18 years of age and not a party to this action.
- Received by Evan-Allen Services to be served on **Ramon Martinez, 626 Pinewood Drive, Apt 1, San Jose, CA 95129.**
- NON-SERVED the Subpoena to Testify at a Deposition in a Civil Action; Plaintiff Owen Diaz's Notice of Deposition of Ramon Martinez.** After due search, careful inquiry and diligent attempts was unable to serve on **Ramon Martinez** for the reasons detailed in the comments below.
- Additional Information pertaining to this non-service:

12/07/2018 2:00 PM Attempted Service. The defendant Ramon Martinez was not in per Jane Doe - Co-Occupant (Hispanic, Female, 40years old).

12/08/2018 6:10 PM Attempted Service. No answer, no movement, no sound.

12/10/2018 4:00 PM Attempted Service. No answer, no movement, no sound.

12/11/2018 7:05 AM Attempted Service. No answer, no movement, no sound.

12/13/2018 9:55 PM Attempted Service. No answer, lights on inside.

12/14/2018 8:35 PM Attempted Service. No answer, lights on inside. Returned Not Served. Needs reissued subpoena with new hearing date.
- I am an independent contractor of a registered California process server.
- My name, address, telephone number, and, if applicable, county of registration and number are:

Name: Gary Genest
 Firm: Evan-Allen Services
 Address: 4425 Treat Blvd., #149, Concord, CA 94521
 Telephone number: (925) 525-9062
 Registration Number: PS1560
 County: Santa Clara
 The fee for the service was: \$70.00
- I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

12/26/2018

Gary Genest

(TYPE OR PRINT NAME OF PERSON WHO SERVED THE PAPERS)

(SIGNATURE OF PERSON WHO SERVED THE PAPERS)

Exhibit

10

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
--oOo--

DEMETRIC DI-AZ, OWEN DIAZ,)
AND LAMAR PATTERSON,)

Plaintiffs,)

vs.)

TESLA, INC., dba TESLA)
MOTORS, INC.; CITISTAFF)
SOLUTIONS, INC.; WEST)
VALLEY STAFFING GROUP;)
CHARTWELL STAFFING)
SERVICES, INC.; and DOES)
1-50, inclusive,)

Defendants.)

Case No.
3:17-cv-06748-WHO

VIDEO DEPOSITION OF VERONICA MARTINEZ
TUESDAY, OCTOBER 15, 2019

STENOGRAPHICALLY REPORTED BY:

KIMBERLY E. D'URSO, RPR, CSR NO. 11372

Job No. 13937

VERONICA MARTINEZ

October 15, 2019

1 APPEARANCES:

2

3 FOR THE PLAINTIFFS:

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5 332 San Anselmo Avenue
San Anselmo, CA 94960
6 415.453.4740

7 FOR THE DEFENDANT TESLA:

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BY: PATRICIA M. JENG, ESQ.
9 Four Embarcadero Center, 17th Floor
San Francisco, CA 94111
10 415.434.9100

11 FOR THE DEFENDANT NEXT SOURCE:

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BY: SUSAN T. KUMAGAI, ESQ.
17 1300 Clay Street, Suite 810
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18 415.357.4600

19 FOR THE DEFENDANT CHARTWELL STAFFING:

20 GORDON & REES
BY: SARAH Y. OH, ESQ.
21 3 Parkcenter Drive, Suite 200
Sacramento, CA 95825
22 916.830.6528

23 --oOo--

24

25

VERONICA MARTINEZ

October 15, 2019

1 Q. Did Jackie Delgado ever tell you that she found
2 Mr. Owen Diaz to be credible?

3 **A. She didn't mention any of that.**

4 Q. And based on your interaction -- strike that.

03:33:41 5 Did you actually interview Ramon Martinez
6 relative to what happened between him and Owen Diaz?

7 **A. Documentation was given to Ramon, and Ramon**
8 **answered the questionnaire.**

9 Q. Why -- why was Ramon Martinez given a
03:34:11 10 questionnaire to fill out rather than actually
11 interviewed?

12 MS. JENG: Objection. Calls for speculation.

13 THE WITNESS: That's what I was told to do.

14 BY MR. ORGAN:

03:34:20 15 Q. So Jackie Delgado told you to get a statement
16 from Ramon Martinez?

17 **A. To give the questionnaire to Ramon.**

18 Q. Did Jackie Delgado suggest to you in any way
19 that she felt as if the allegations against
03:34:59 20 Ramon Martinez were serious?

21 MS. JENG: Objection. Vague.

22 MS. OH: Join.

23 THE WITNESS: The only thing that was provided
24 by Jackie in any conversation was the emails going back
03:35:11 25 and forth.

VERONICA MARTINEZ

October 15, 2019

1 pages of Exhibit 184 are emails, and then there's some
2 handwritten notes that are the last 6 pages of
3 Exhibit 184.

4 Do you remember receiving these documents from
04:06:12 5 Jackie Delgado on Monday, January 25th?

6 **A. I think so.**

7 Q. Okay. You -- you have no reason to doubt that
8 you got them; correct?

9 **A. No.**

04:06:22 10 Q. And let's go to the last three pages of
11 Exhibit 184.

12 Do you recognize those? I'm looking at NS43
13 through 45.

14 **A. Yes.**

04:06:49 15 Q. And what are those?

16 **A. This is the questionnaire that was emailed to**
17 **me.**

18 Q. And at some point you received these pages,
19 NS43 through 45, you received those pages without the
04:07:15 20 handwriting on them; correct?

21 **A. Correct.**

22 Q. And then you gave that blank questionnaire to
23 Mr. Martinez; right?

24 **A. Ramon?**

04:07:24 25 Q. Yeah. Yeah. Ramon Martinez.

VERONICA MARTINEZ

October 15, 2019

1 **A. Yes.**

2 Q. And then did you watch Ramon Martinez fill out
3 these pages in Exhibit 184?

4 **A. Yes.**

04:07:39 5 Q. And then after he filled out the pages, it
6 looks like he signed it; is that right?

7 **A. Yes.**

8 Q. And then he gave it back to you?

9 **A. Correct.**

04:07:53 10 Q. And it has here a time of 4:30 on 11/22 [sic].
11 Does that comport with your memory of when
12 Mr. Martinez finished his questionnaire?

13 **A. You mean 1/22?**

14 Q. Yeah, on 1/22, at 4:30 p.m.?

04:08:12 15 **A. That's what it looks like, yes.**

16 Q. Yeah. And do you know why he signed it?

17 MS. OH: Objection. Calls for speculation.

18 THE WITNESS: No.

19 BY MR. ORGAN:

04:08:24 20 Q. Let me ask a different question. Did you ask
21 Mr. Martinez, Mr. Ramon Martinez, to sign his filled out
22 questionnaire?

23 **A. He asked if he should sign it, and I said,**
24 **"Yes, please."**

04:08:38 25 Q. Okay. Now, if you could look over the

VERONICA MARTINEZ

October 15, 2019

1 STATE OF CALIFORNIA)
) ss:
2 COUNTY OF ALAMEDA)
3

4

I, KIMBERLY E. D'URSO, do hereby certify:

5

That the witness named in the foregoing

6

deposition was present and duly sworn to testify to the

7

truth in the within-entitled action on the day and date

8

and at the time and place therein specified;

9

That the testimony of said witness was reported

10

by me in shorthand and was thereafter transcribed through

11

computer-aided transcription;

12

That the foregoing constitutes a full, true and

13

correct transcript of said deposition and of the

14

proceedings which took place;

15

Further, that if the foregoing pertains to the

16

original transcript of a deposition in a federal case,

17

before completion of the proceedings, review of the

18

transcript [] was [] was not requested.

19

That I am a disinterested person to the said

20

action;

21

IN WITNESS WHEREOF, I have hereunder subscribed

22

my hand this 30th day of October, 2019.

23

24

KIMBERLY D'URSO

25

RPR, CSR NO. 11372, STATE OF CALIFORNIA

Exhibit

11

Monica Deleon

From: Monica Deleon <mdeleon@citistaffsolutions.com>
Sent: Friday, November 06, 2015 5:17 PM
To: 'Wayne Jackson'
Cc: 'Parks, Vanessa'; 'Gryske, Deb'; Bruce Wismer (bwismer@citistaffsolutions.com); 'William Hidalgo'
Subject: RE: Termination of Rothaj Foster

Wayne,

I do apologize for the late response. I did let Rothaj know that his assignment has ended. I do feel that there were several misunderstandings and miscommunications. I took a statement from both of them. Rothaj was straight forward and explained fully to me what happened from his point of view. When I spoke to Owen, he had to think about what happened. I have also heard a few complaints about Owen abusing his power as a lead, as well as coming off slightly standoffish. If there was a report made could you please forward it to me to have for Citistaffs records. If there was no witness to the threats that Rothaj had supposedly said I don't think that should have been counted against him. As far as the illegal parking Rothaj has a handicap sticker in his car. At this point is there any chance of Rothaj returning possibly back to sorting. He was enlisted for a raise next week. Thank you for your efforts I appreciate it.

Monica De Leon
 Staff Supervisor
 CitiStaff Solutions
 37053 Cherry Street Suite 204A
 Newark, CA 94560
 Office 510-797-2581

From: Wayne Jackson [mailto:wajackson@teslamotors.com]
Sent: Friday, November 06, 2015 10:21 AM
To: mdeleon@citistaffsolutions.com
Cc: Parks, Vanessa; Gryske, Deb
Subject: Termination of Rothaj Foster

Monica we will have to terminate Rothaj Foster assignment effective immediately. Please see the email below.

Wayne Jackson
 1040 Avenue of the Americas, 24th Floor
 New York, NY 10018
 Mobile: (917) 797-9984
wajackson@teslamotors.com

www.nextsource.com



Workforce Optimization, Business Enlightenment

From: Edward Romero
Sent: Friday, November 06, 2015 12:17 AM
To: Wayne Jackson <wajackson@teslamotors.com>
Cc: Victor Quintero <vquintero@teslamotors.com>; Jaime Salazar <jsalazar@teslamotors.com>
Subject: FW: Rothaj Foster

Please see email below.

From: Edward Romero
Sent: Friday, November 06, 2015 12:12 AM
To: Wayne Jackson
Cc: Victor Quintero; Jaime Salazar
Subject: Rothaj Foster

I had Rothaj Foster removed from the Tesla premises last night at 10:00 pm. The reason is that he was conducting himself in a threatening manner against Owen Diaz.

I received a call from Rothaj Foster at 6:06 pm. He said that he had spoken to Wayne Jackson and that Wayne had told him he was going to move him to a recycling sorter position tonight. I explained to him that people are not moved around like that without us first getting a replacement. I encouraged him to be patient, do his job and everything would work out. I also reminded him that we were short on staff.

I received another call from Mr. Foster at 7:47 saying that Owen wouldn't let him take his break. He said that Owen had went to cover for Froilan break. I told him to be patient and Owen would cover for him when Froilan came back. I explained that when we only have three people on we might not be able to take our breaks as we want but when we can. I told him to be patient. I then got another call from Mr. Foster around 9:00 insinuating that Owen was being mean. I called Owen to ask him what was happening and Owen said Rothaj was being difficult and threatening, saying "you better watch your car". I asked Owen if anyone had heard him say that, Owen said he didn't think so.

I then instructed Owen to assign Rothaj to elevator 2 as to avoid any friction between the two. When Owen approached Rothaj Foster to instruct him to go to elevator 2 he conducted himself in a threatening manner as if he wanted to fight with Owen. He also made a comment about shooting Owen. I asked him if anyone had witnessed this, at which time a Tesla material handler came forward and said he had witnessed Mr. Foster's threatening conduct. I then returned to Tesla to investigate the matter.

I then returned to Tesla and met with Yordano Ramirez, material handler from the Reman Area. He gave me his written statement and explained what happen. He said he witnessed Rothaj Foster conduct himself in a threatening manner towards Owen. I then called security explained the situation and asked that he be

removed from the premises. Security informed me that they had had problems with Mr. Fosters attitude in the past. They said I could included that information in my report. I asked for his badge, which he returned to me. I informed Mr. Foster that he was suspended while we evaluated what had happen. He asked if he could call someone. I told him he could call his agency if wanted to. He asked if he could call Wayne Jackson, I told him he was free to do so if he wanted to. He was then escorted out of the building and followed to his car which he had parked illegally in a handicapped parking spot.

I could not allow anyone to be a threat to any other employee. I do not recommend he be allowed to return.

Monica Deleon

From: Monica Deleon <mdeleon@citistaffsolutions.com>
Sent: Monday, January 25, 2016 9:33 AM
To: Bruce Wismer (bwismer@citistaffsolutions.com)
Cc: 'William Hidalgo'
Subject: RE: Ramon

Bruce,
 This is a part of it to

Monica De Leon
 Staff Supervisor
 CitiStaff Solutions
 37053 Cherry Street Suite 204A
 Newark, CA 94560
 Office 510-797-2581

From: Owen Diaz [mailto:sfrednose@gmail.com]
Sent: Saturday, January 23, 2016 4:47 AM
To: Citistaff
Subject: Fwd: Ramon

This is an email i sent on the first issue

Sent from my iPhone

Begin forwarded message:

From: Owen Diaz <sfrednose@gmail.com>
Date: October 17, 2015 at 6:08:48 AM PDT
To: "edromero@teslamotors.com" <edromero@teslamotors.com>, "Tom @ Tesla" <ikawasaki@teslamotors.com>
Subject: Ramon

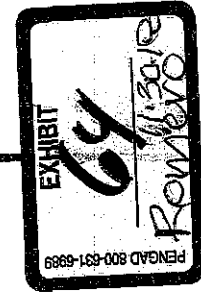
Mr. Romero today @ 4:45 am I was working elevator 1 with rothaj foster training him, when the elevator doors opened on the first floor and we saw Ramon siting there. At the time I was explaining to Rothai what you had told me about the outside team and inside team and what his duties consisted of. I was explaining him that Tom would no longer be his supervisor it was going to be you. For

some reason Ramon jump off the tugger he was on and started yelling at me in a Threatening manner, saying you have a problem with me! why are you telling him who his supervisor is! When I did not say anything to Ramon followed me into the elevator and stood next to the forklift I was on and keep yelling at me. I thought he was going to hit me. so I asked him to please step back. because of his threatening manner and reminded Ramon we were on camera. Mr. Romero because of the way Ramon was acting I don't feel safe around him now. Can you please talk to him I don't need any problems. I just want to do my job. You can check the surveillance system to confirm. I contacted Tom for advice and he said, if you don't have excess surveillance system please contact him.

Sent from my iPhone

Exhibit

12



CITISTAFF-0000011

Monica Deleon

From: Monica Deleon <mdeleon@citistaffsolutions.com>
Sent: Friday, November 06, 2015 5:17 PM
To: 'Wayne Jackson'
Cc: 'Parks, Vanessa'; 'Gryske, Deb'; Bruce Wismer (bwismer@citistaffsolutions.com); 'William Hidalgo'
Subject: RE: Termination of Rothaj Foster

Wayne,

I do apologize for the late response. I did let Rothaj know that his assignment has ended. I do feel that there were several misunderstandings and miscommunications. I took a statement from both of them. Rothaj was straight forward and explained fully to me what happened from his point of view. When I spoke to Owen, he had to think about what happened. I have also heard a few complaints about Owen abusing his power as a lead, as well as coming off slightly standoffish. If there was a report made could you please forward it to me to have for Citistaffs records. If there was no witness to the threats that Rothaj had supposedly said I don't think that should have been counted against him. As far as the illegal parking Rothaj has a handicap sticker in his car. At this point is there any chance of Rothaj returning possibly back to sorting. He was enlisted for a raise next week. Thank you for your efforts I appreciate it.

Monica De Leon
 Staff Supervisor
 CitiStaff Solutions
 37053 Cherry Street Suite 204A
 Newark, CA 94560
 Office 510-797-2581

From: Wayne Jackson [mailto:wajackson@teslamotors.com]
Sent: Friday, November 06, 2015 10:21 AM
To: mdeleon@citistaffsolutions.com
Cc: Parks, Vanessa; Gryske, Deb
Subject: Termination of Rothaj Foster

Monica we will have to terminate Rothaj Foster assignment effective immediately. Please see the email below.

Wayne Jackson
 1040 Avenue of the Americas, 24th Floor
 New York, NY 10018
 Mobile: (917) 797-9984
wajack@teslamotors.com

CONFIDENTIAL

www.nextsource.com



Workforce Optimization, Business Enlightenment

From: Edward Romero
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To: Wayne Jackson <wajackson@teslamotors.com>
Cc: Victor Quintero <vquintero@teslamotors.com>; Jaime Salazar <jsalazar@teslamotors.com>
Subject: FW: Rothaj Foster

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To: Wayne Jackson
Cc: Victor Quintero; Jaime Salazar
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I then instructed Owen to assign Rothaj to elevator 2 as to avoid any friction between the two. When Owen approached Rothaj Foster to instruct him to go to elevator 2 he conducted himself in a threatening manner as if he wanted to fight with Owen. He also made a comment about shooting Owen. I asked him if anyone had witnessed this, at which time a Tesla material handler came forward and said he had witnessed Mr. Foster's threatening conduct. I then returned to Tesla to investigate the matter.

I then returned to Tesla and met with Yordano Ramirez, material handler from the Roman Area. He gave me his written statement and explained what happen. He said he witnessed Rothaj Foster conduct himself in a threatening manner towards Owen. I then called security explained the situation and asked that he be

removed from the premises. Security informed me that they had had problems with Mr. Foster's attitude in the past. They said I could include that information in my report. I asked for his badge, which he returned to me. I informed Mr. Foster that he was suspended while we evaluated what had happened. He asked if he could call someone. I told him he could call his agency if wanted to. He asked if he could call Wayne Jackson, I told him he was free to do so if he wanted to. He was then escorted out of the building and followed to his car which he had parked illegally in a handicapped parking spot.

I could not allow anyone to be a threat to any other employee. I do not recommend he be allowed to return.

Exhibit

13

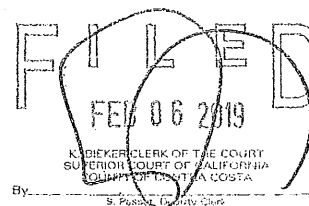
cr

4-195330-6

F. 2/6/19

A. 2/11/19

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA
MARTINEZ**



THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

v.

DEMETRIC DIAZ,
dob 06/19/1995;
CLENZELL BRYANT,
dob 03/31/1996;
Defendants.

Docket: 05-190194-1
DA No: 0130975561

INFORMATION - FELONY

Count 1) PC211
Count 2) PC211
Count 3) PC211
Count 4) PC245(b)
Count 5) PC245(b)
Count 6) PC245(b)
Count 7) VC2800.2

COUNT 1 – SECOND DEGREE ROBBERY

The undersigned states, on information and belief, that Demetric Diaz and Clenzell Bryant, Defendants, did commit a Felony, a violation of PC211, Second Degree Robbery, committed as follows:

On or about December 21, 2018, in the County of Contra Costa, State of California, the crime of Second Degree Robbery in violation of PC211, a Felony, was committed in that DEMETRIC DIAZ AND CLENZELL BRYANT did unlawfully, and by means of force and fear take personal property from the person, possession, and immediate presence of Ariana Sharifi, a Domino's Pizza employee.

ENHANCEMENT 1

PC12022.53(b): Special Allegation-Personal Use Of A Firearm

It is further alleged as to Count 1 at said defendant, DEMETRIC DIAZ personally used a firearm, a handgun, within the meaning of Penal Code Section 12022.53(b) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8).

ENHANCEMENT 2

It is further alleged as to Count 1 that in the commission and attempted commission of the above offense, the said defendant, CLENZELL BRYANT, a principal in said offense was armed with a firearm(s), to wit, handgun, said arming not being an element of the above offense, within the meaning of Penal Code section 12022(a)(1).

COUNT 2 – SECOND DEGREE ROBBERY

The undersigned states, on information and belief, that Demetric Diaz and Clenzell Bryant, Defendants, did commit a Felony, a violation of PC211, Second Degree Robbery, committed as follows:

On or about December 21, 2018, in the County of Contra Costa, State of California, the crime of Second Degree Robbery in violation of PC211, a Felony, was committed in that DEMETRIC DIAZ AND CLENZELL

PEOPLE vs. DEMETRIC DIAZ, CLENZELL BRYANT

Docket: 05-190194-1
Page 2 of 4

BRYANT did unlawfully, and by means of force and fear take personal property from the person, possession, and immediate presence of Madison Minton, a Domino's Pizza employee.

ENHANCEMENT 1

PC12022.53(b): Special Allegation-Personal Use Of A Firearm

It is further alleged as to Count 2 that said defendant, DEMETRIC DIAZ personally used a firearm, a handgun, within the meaning of Penal Code Section 12022.53(b) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8).

ENHANCEMENT 2

It is further alleged as to Count 2 that in the commission and attempted commission of the above offense, the said defendant, CLENZELL BRYANT, a principal in said offense was armed with a firearm(s), to wit, handgun, said arming not being an element of the above offense, within the meaning of Penal Code section 12022(a)(1).

COUNT 3 – SECOND DEGREE ROBBERY

The undersigned states, on information and belief, that Demetric Diaz and Clenzell Bryant, Defendants, did commit a Felony, a violation of PC211, Second Degree Robbery, committed as follows:

On or about December 21, 2018, in the County of Contra Costa, State of California, the crime of Second Degree Robbery in violation of PC211, a Felony, was committed in that DEMETRIC DIAZ AND CLENZELL BRYANT did unlawfully, and by means of force and fear take personal property from the person, possession, and immediate presence of Antero Sanchez, a Domino's Pizza employee.

ENHANCEMENT 1

PC12022.53(b): Special Allegation-Personal Use Of A Firearm

It is further alleged as to Count 3 that said defendant, DEMETRIC DIAZ personally used a firearm, a handgun, within the meaning of Penal Code Section 12022.53(b) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8).

ENHANCEMENT 2

It is further alleged as to Count 3 that in the commission and attempted commission of the above offense, the said defendant, CLENZELL BRYANT, a principal in said offense was armed with a firearm(s), to wit, handgun, said arming not being an element of the above offense, within the meaning of Penal Code section 12022(a)(1).

COUNT 4 – ASSAULT WITH A SEMIAUTOMATIC FIREARM

The undersigned states, on information and belief, that Demetric Diaz, Defendant, did commit a Felony, a violation of PC245(b), Assault with a Semiautomatic Firearm, committed as follows:

On or about December 21, 2018, in the County of Contra Costa, State of California, the crime of Assault With A Firearm in violation of PC245(a)(2), a Felony, was committed in that DEMETRIC DIAZ did willfully and unlawfully commit an assault on Ariana Sharifi with a firearm.

PEOPLE vs. DEMETRIC DIAZ, CLENZELL BRYANT

Docket: 05-190194-1

Page 3 of 4

COUNT 5 – ASSAULT WITH A SEMIAUTOMATIC FIREARM

The undersigned states, on information and belief, that Demetric Diaz, Defendant, did commit a Felony, a violation of PC245(b), Assault with a Semiautomatic Firearm, committed as follows:

On or about December 21, 2018, in the County of Contra Costa, State of California, the crime of Assault With A Firearm in violation of PC245(a)(2), a Felony, was committed in that DEMETRIC DIAZ did willfully and unlawfully commit an assault on Madison Minton with a firearm.

COUNT 6 – ASSAULT WITH A SEMIAUTOMATIC FIREARM

The undersigned states, on information and belief, that Demetric Diaz, Defendant, did commit a Felony, a violation of PC245(b), Assault with a Semiautomatic Firearm, committed as follows:

On or about December 21, 2018, in the County of Contra Costa, State of California, the crime of Assault With A Firearm in violation of PC245(a)(2), a Felony, was committed in that DEMETRIC DIAZ did willfully and unlawfully commit an assault on Antero Sanchez with a firearm.

COUNT 7 – FLEEING A PURSUING PEACE OFFICER'S MOTOR VEHICLE WHILE DRIVING RECKLESSLY

The undersigned states, on information and belief, that Clenzell Bryant, Defendant, did commit a Felony, a violation of VC2800.2, Fleeing A Pursuing Peace Officer's Motor Vehicle While Driving Recklessly, committed as follows:

On or about December 21, 2018, in the County of Contra Costa, State of California, the crime of Fleeing A Pursuing Peace Officer's Motor Vehicle While Driving Recklessly in violation of VC2800.2, a Felony, was committed in that CLENZELL BRYANT while driving a motor vehicle in a willful and/or wanton disregard for the safety of persons, and with the intent to evade, willfully fled and/or attempted to elude a pursuing peace officer's motor vehicle.

PROBATION VIOLATION - IN RE LAW NOTICE

It is further alleged, pursuant to Penal Code section 1203.3, that the DEMETRIC DIAZ did violate the law as alleged above in violation of the grant of probation and in violation of the grant of mandatory supervision set forth below:

Charge	S	Off. Date	Conv. Date	Docket Number	Jurisdiction
PC148(a)(1)	M	05-30-2016	06-02-2017	04-187326-4	7100 - Contra Costa

The People of the State of California hereby provide notice that the probation violation hearing on the above matter shall be conducted in conjunction with any trial on the charges alleged herein or at an earlier properly noticed probation violation hearing. See, In re Law (1973) 10 Cal. 3d 21.

TESLA-0001053

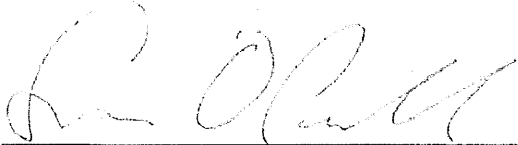
PEOPLE vs. DEMETRIC DIAZ, CLENZELL BRYANT

Docket: 05-190194-1
Page 4 of 4

Complainant requests that the Defendant[s] be dealt with according to the law.

Dated: February 6, 2019, at Martinez, California

DIANA BECTON
District Attorney

A handwritten signature in black ink, appearing to read "Simon O'Connell", written over a horizontal line.

Simon O'Connell
Deputy District Attorney
SO/ga

TESLA-0001054

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

DOCKET NO.

5-190194-1

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

DEFENDANT: Demetric Diaz DEPT. MCC DATE 11/4/19 TIME 8:45
 ADDRESS _____ DOB: _____
 ROC: JT PROB _____ DEFENSE ATTORNEY _____ TIME _____ WAIVED _____
 CUSTODIAL STATUS: SBOND
 CHARGES: + PC 211

MINUTES CERTIFIED CORRECT

JUDGE Canepa COURT REPORTER Argyropoulos CLERK Jang
 ASSIGN _____ COURT _____
 TO DEPT. _____ JUDGE _____ REPORTER _____ CLERK _____

<p>A <input type="checkbox"/> Def proceeds PRO PER <input type="checkbox"/> Appearance waived P <input checked="" type="checkbox"/> Def appears <input type="checkbox"/> In Custody <input type="checkbox"/> Def not appearing E <input checked="" type="checkbox"/> With / by Atty / Rob Def <u>ADO Luther/Della Prieto</u> A <input checked="" type="checkbox"/> Deputy District Atty <u>Sanjoe</u> R <input type="checkbox"/> Court Probation Officer _____ A <input type="checkbox"/> Interp. _____ <input type="checkbox"/> cert. <input type="checkbox"/> non-cert. N sworn / oath on file / qualified per Rule 2.893 C <input type="checkbox"/> Order _____ Interp. <input type="checkbox"/> Coord. Notified E <input type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified <input type="checkbox"/> PD / ADO / PVT <input type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd <input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p>	<p>A Handed copy of: <input type="checkbox"/> Petition to Revoke R <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / GJ transcript A <input type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study I <input type="checkbox"/> Formal arraignment waived / Reading of Compl. G <input type="checkbox"/> Duly arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol. N <input type="checkbox"/> Answers true name as charged M <input type="checkbox"/> Deny enhancements E <input type="checkbox"/> Plea of not guilty entered N <input type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed</p>	<p>W <input type="checkbox"/> Bench Warrant to issue A Bail set at \$ _____ R <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app A <input type="checkbox"/> Hold until _____ N <input type="checkbox"/> Bail forfeited & continued 190 days T <input type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out I <input type="checkbox"/> Bail exonerated L <input type="checkbox"/> Bail forfeiture set aside & reinstated upon payment of fee \$ _____</p>
<p>P <input type="checkbox"/> Written plea filed <input type="checkbox"/> Pleads Guilty, Ct. # _____ L <input type="checkbox"/> Pleads no contest, Found Guilty Ct # _____ E <input type="checkbox"/> Pleads Not guilty / Found Not guilty by reason of insanity A <input type="checkbox"/> Admits / denies: priors / enhancements / strikes S <input type="checkbox"/> Rights given / waived <input type="checkbox"/> App. Rights given / waived W <input type="checkbox"/> Per PC1192.5 A <input type="checkbox"/> Time for Misdo Trial / Sent waived / not waived I <input type="checkbox"/> Time for Fel PX / Trial 10 / 60 days waived / not waived V <input type="checkbox"/> Time for PV - 15 / 45 days waived / not waived E <input type="checkbox"/> Other _____ R _____ S _____</p>	<p>O <input type="checkbox"/> Obey all laws <input type="checkbox"/> Use true name / DOB R <input type="checkbox"/> Do Not use any alcohol / drugs w/o Rx C <input type="checkbox"/> Attend AA / NA meetings per week and O present proof at each court appearance N <input type="checkbox"/> Submit to search/testing for _____ D <input type="checkbox"/> Re-ref / Reinstate L1 / L2 / PCDDP S <input type="checkbox"/> Not drive unless properly licensed and insured. <input type="checkbox"/> Destroy / Return Weapon <input type="checkbox"/> SCRAM / GPS <input type="checkbox"/> Ordered <input type="checkbox"/> Removed</p>	<p>C TRIAL: <u>1/10 845 MCC</u> O ROFRC: <u>12/24 830 D-6</u> N PX: _____ T PTC/SET: _____ I <input type="checkbox"/> FUTURE DATES CONFIRMED U <input checked="" type="checkbox"/> Time waived to <u>1/10</u> (+10) 60 days A <input type="checkbox"/> Vacate date of _____ N <input checked="" type="checkbox"/> Def must need not appear <u>1/10/20</u> C <input type="checkbox"/> Trailing E Last Day <u>1/16/20</u> S _____</p>
<p>M <input type="checkbox"/> Defendant held to answer at PX hearing O <input type="checkbox"/> People / Def Motion to / for / cont _____ Y <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken I <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted O <input type="checkbox"/> Info / Indictment/Complaint amended on its face to N add Ct # _____ a violation of section S _____ Fel / Misd _____ I <input type="checkbox"/> Pursuant to 23103.5 CVC O <input type="checkbox"/> Substitute misdemeanor for felony where it appears R in Ct # _____ D <input type="checkbox"/> Per Court / DA dismiss Ct # _____ E <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes R Reasons: _____ S <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Defl. <input type="checkbox"/> Victim <input type="checkbox"/> DA <input type="checkbox"/> Stay away from _____</p>	<p>P <input type="checkbox"/> Court / Formal Prob. _____ yrs. _____ mos. R <input type="checkbox"/> No Probation O <input type="checkbox"/> Adult Pre-Trial / Post Plea / Diversion B <input type="checkbox"/> Prob. / Div. / Parole / PRCS Reinst'd / Ext. / Modif. A to _____ T <input type="checkbox"/> Def given / waived rights to Revoc Hg: admits / I denies allegation O <input type="checkbox"/> Violation of Prob. / Div. / Parole / PRCS N <input type="checkbox"/> Prob. / Div. / Parole / PRCS revoked D <input type="checkbox"/> In re law notice given I <input type="checkbox"/> Prob. / Div. / PRCS: Terminated: V Successfully / Unsuccessfully / Denied I <input type="checkbox"/> Crim. proceedings susp. / reinstated / dism. P <input type="checkbox"/> Standard terms & cond. of Probation given A <input type="checkbox"/> PC 296 sample ordered / verified R <input type="checkbox"/> Parole violation(s) sustained / not sustained O _____ G _____ L _____ E _____</p>	<p>P <input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp C <input type="checkbox"/> Court appoints Dr. _____ 1 Purs. PC288.1 / PC1368 3 <input type="checkbox"/> Counsel submit on Dr / CONREP Report 6 dated _____ marked as EXH _____ 8 <input type="checkbox"/> Court finds def competent / incompetent to 1 stand trial 3 <input type="checkbox"/> Court refers def to CONREP / Adult MH 7 <input type="checkbox"/> Def committed to _____ 0 Max term of commitment _____ Local custody credits _____ <input type="checkbox"/> Meds voluntary / involuntary / no consent <input type="checkbox"/> Criminal proceedings reinstated</p>
<p>F <input type="checkbox"/> RF\$ _____ [PC1202.4] <input type="checkbox"/> Fine \$ _____ I <input type="checkbox"/> Prob. Viol. Fine \$ _____ PVR/PRCS \$ _____ N [PC1202.44] suspended / imposed [PC1202.44] E <input type="checkbox"/> Victim restitution \$ _____ S <input type="checkbox"/> Victim restitution TBD / Not ordered I <input type="checkbox"/> VCB \$ _____ F <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee E <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ _____ E COA \$ _____ CCA \$ _____ S Lab \$ _____ Atty Fees \$ _____ Prob. Report Fee \$ _____ <input type="checkbox"/> Pay bal. of fine/ <input type="checkbox"/> In lieu of fine/ <input type="checkbox"/> Susp. after fine <input type="checkbox"/> _____ hours Volunteer work by _____ Fee \$ _____ <input type="checkbox"/> Balance of fines / fees / rest. to remain as ordered <input type="checkbox"/> Make payments to Linebarger. <input type="checkbox"/> Other _____</p>	<p>C <input type="checkbox"/> County jail _____ days / mos / yrs O _____ days / mos / yrs credit M _____ days / mos / yrs suspended I <input type="checkbox"/> Sentence to commence _____ T <input type="checkbox"/> Serve consecutive / concurrent with: _____ E <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD N <input type="checkbox"/> Release from custody to program T <input type="checkbox"/> Day-for-day credit for successful completion of S approved _____ day / mo / yr R residential treatment program E <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO G <input type="checkbox"/> Sent. recall purs. to 1170.18 / Prop 47 dept resent. I <input type="checkbox"/> See attached additional orders</p>	<p>State Prison _____ yrs _____ mos County Jail _____ yrs _____ mos _____ days Mand. Sup. _____ yrs _____ mos _____ days CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) ENH _____ yrs _____ mos ENH _____ yrs _____ mos ACTUAL CTS _____ CONDUCT CTS _____ <input type="checkbox"/> 1/2 time credits <input type="checkbox"/> Parole / PRCS advisement given <input type="checkbox"/> Paper commitment</p>
<p><input type="checkbox"/> REMANDED <input type="checkbox"/> Court Courtesy <input type="checkbox"/> Ordered released <input type="checkbox"/> On OR <input type="checkbox"/> Promise to Appear <input checked="" type="checkbox"/> Cont'd on bond/cash bail posted <input type="checkbox"/> Phone calls Bail set in the amount of \$ _____ <input type="checkbox"/> State Prison Commitment <input type="checkbox"/> Committed to custody until sentence is satisfied in full TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof. DATED: <u>11/4/19</u> <u>T. CANEPA</u> JUDGE OF THE SUPERIOR COURT</p>		

See back of form for additional information

WHITE - Court

GREEN - Jail (if in custody)

CANARY - Defendant

PINK - Probation

GOLDENROD - CCU

CR-3013 (Rev 10/12/18)

TESLA-0001055

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

DOCKET NO.

SUPERIOR COURT OF CALIFORNIA, MARTINEZ

05-190194-1 01

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

DEFENDANT: DIAZ, DEMETRIC DEPT. 005 DATE 10/31/2019 TIME 1:30 PM PA RATE-H
 ADDRESS 2521 MAYFLOWER DR ANTIDOT CA 94509 DOB: 06/19/1975
 ROC: MGONT FEL PROB DEFENSE ATTORNEY DELLA PIANA TIME NOT WAIVED
 CUSTODIAL STATUS: SBOND \$300,000
 CHARGES: 01 F PC 211 02 F PC 211 03 F PC 211
04 F PC 245(b) 05 F PC 245(b) W/E
 MINUTES CERTIFIED CORRECT

JUDGE THERESA CANEPA COURT REPORTER M. ARGYROPOLIS CLERK A. JANG
 ASSIGN TO DEPT. JUDGE COURT REPORTER CLERK

<p>A <input type="checkbox"/> Def proceeds PRO PER <input checked="" type="checkbox"/> Appearance waived P <input type="checkbox"/> Def appears <input type="checkbox"/> In Custody <input type="checkbox"/> Def not appearing E <input checked="" type="checkbox"/> With / by Atty / Pub Def <u>ADO Della Piana</u> A <input type="checkbox"/> Deputy District Atty <u>Sansse</u> R <input type="checkbox"/> Court Probation Officer A <input type="checkbox"/> Interp. <input type="checkbox"/> cert. <input type="checkbox"/> non-cert. N <input type="checkbox"/> sworn / oath on file / qualified per Rule 2.893 C <input type="checkbox"/> Order <input type="checkbox"/> Interp. <input type="checkbox"/> Coord. Notified E <input type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified <input type="checkbox"/> PD / ADO / PVT <input type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd <input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p>	<p>A Handed copy of: <input type="checkbox"/> Petition to Revoke R <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / GJ transcript R <input type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study A <input type="checkbox"/> Formal arraignment waived / Reading of Compl. I <input type="checkbox"/> Duly arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol. G <input type="checkbox"/> Answers true name as charged N <input type="checkbox"/> Deny enhancements M <input type="checkbox"/> Plea of not guilty entered E <input type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed N <input type="checkbox"/> Obey all laws <input type="checkbox"/> Use true name / DOB T <input type="checkbox"/> Do Not use any alcohol / drugs w/o Rx <input type="checkbox"/> Attend AA / NA meetings per week and present proof at each court appearance <input type="checkbox"/> Submit to search/testing for <input type="checkbox"/> Re-ref / Reinstate L1 / L2 / PCDDP <input type="checkbox"/> Not drive unless properly licensed and insured. <input type="checkbox"/> Destroy / Return Weapon <input type="checkbox"/> SCRAM / GPS <input type="checkbox"/> Ordered <input type="checkbox"/> Removed</p>	<p>W <input type="checkbox"/> Bench Warrant to issue A Bail set at \$ R <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app A <input type="checkbox"/> Hold until N <input type="checkbox"/> Bail forfeited & continued 190 days T <input type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out B <input type="checkbox"/> Bail exonerated A <input type="checkbox"/> Bail forfeiture set aside & reinstated I upon payment of fee \$ L</p>
<p>P <input type="checkbox"/> Written plea filed <input type="checkbox"/> Pleads Guilty, Ct. # L <input type="checkbox"/> Pleads no contest, Found Guilty Ct # E <input type="checkbox"/> Pleads Not guilty / Found Not guilty by reason of insanity A <input type="checkbox"/> Admits / denies: priors / enhancements / strikes S <input type="checkbox"/> Rights given / waived <input type="checkbox"/> App. Rights given / waived / <input type="checkbox"/> Per PC1192.5 W <input type="checkbox"/> Time for Misdo Trial / Sent waived / not waived A <input type="checkbox"/> Time for Fel PX / Trial 10 / 60 days waived / not waived I <input type="checkbox"/> Time for PV - 15 / 45 days waived / not waived V <input type="checkbox"/> Other E R S</p>	<p>O <input type="checkbox"/> Defendant held to answer at PX hearing R <input type="checkbox"/> People / Def Motion to / for / cont <u>IT</u> O <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken B <input checked="" type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted A <input type="checkbox"/> Info / Indictment/Complaint amended on its face to add Ct # a violation of section Fel / Misd T <input type="checkbox"/> Pursuant to 23103.5 CVC O <input type="checkbox"/> Substitute misdemeanor for felony where it appears in Ct # R <input type="checkbox"/> Per Court / DA dismiss Ct # D <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes E Reasons: <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Def. <input type="checkbox"/> Victim <input type="checkbox"/> DA <input type="checkbox"/> Stay away from R <input type="checkbox"/> RF\$ [PC1202.4] <input type="checkbox"/> Fine \$ S <input type="checkbox"/> Prob. Viol. Fine \$ <input type="checkbox"/> PVRF/PRCS \$ <input type="checkbox"/> [PC1202.44] suspended / imposed [PC1202.44] <input type="checkbox"/> Victim restitution \$ <input type="checkbox"/> Victim restitution TBD / Not ordered <input type="checkbox"/> VCB \$ <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ <input type="checkbox"/> COA \$ CCA \$ <input type="checkbox"/> Lab \$ <input type="checkbox"/> Atty Fees \$ <input type="checkbox"/> Prob. Report Fee \$ <input type="checkbox"/> Pay bal. of fine/ <input type="checkbox"/> In lieu of fine/ <input type="checkbox"/> Susp. after fine <input type="checkbox"/> hours Volunteer work by Fee \$ <input type="checkbox"/> Balance of fines / fees / rest. to remain as ordered <input type="checkbox"/> Make payments to Linebarger. <input type="checkbox"/> Other</p>	<p>C <input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp O <input type="checkbox"/> Court appoints Dr. Purs. PC288.1 / PC1368 N <input type="checkbox"/> Counsel submit on Dr / CONREP Report dated marked as EXH T <input type="checkbox"/> Court finds def competent / incompetent to stand trial I <input type="checkbox"/> Court refers def to CONREP / Adult MH 1 <input type="checkbox"/> Def committed to 3 Max term of commitment 7 Local custody credits 0 <input type="checkbox"/> Meds voluntary / involuntary / no consent <input type="checkbox"/> Criminal proceedings reinstated</p>

<p>M <input type="checkbox"/> Defendant held to answer at PX hearing O <input type="checkbox"/> People / Def Motion to / for / cont <u>IT</u> T <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken I <input checked="" type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted O <input type="checkbox"/> Info / Indictment/Complaint amended on its face to add Ct # a violation of section Fel / Misd N <input type="checkbox"/> Pursuant to 23103.5 CVC S <input type="checkbox"/> Substitute misdemeanor for felony where it appears in Ct # <input type="checkbox"/> Per Court / DA dismiss Ct # <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes Reasons: <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Def. <input type="checkbox"/> Victim <input type="checkbox"/> DA <input type="checkbox"/> Stay away from</p>	<p>P <input type="checkbox"/> Court / Formal Prob. yrs. mos. R <input type="checkbox"/> No Probation O <input type="checkbox"/> Adult Pre-Trial / Post Plea / Diversion B <input type="checkbox"/> Prob. / Div. / Parole / PRCS Reinst'd / Ext. / Modif. to A <input type="checkbox"/> Def given / waived rights to Revoc Hg: admits / denies allegation T <input type="checkbox"/> Violation of Prob. / Div. / Parole / PRCS O <input type="checkbox"/> Prob. / Div. / Parole / PRCS revoked I <input type="checkbox"/> In re law notice given N <input type="checkbox"/> Prob. / Div. / PRCS: Terminated: V Successfully / Unsuccessfully / Denied / <input type="checkbox"/> Crim. proceedings susp. / reinstated / dsm. P <input type="checkbox"/> Standard terms & cond. of Probation given A <input type="checkbox"/> PC 296 sample ordered / verified R <input type="checkbox"/> Parole violation(s) sustained / not sustained</p>	<p>P <input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp C <input type="checkbox"/> Court appoints Dr. Purs. PC288.1 / PC1368 1 <input type="checkbox"/> Counsel submit on Dr / CONREP Report dated marked as EXH 3 <input type="checkbox"/> Court finds def competent / incompetent to stand trial 6 <input type="checkbox"/> Court refers def to CONREP / Adult MH 8 <input type="checkbox"/> Def committed to 1 Max term of commitment 3 Local custody credits 7 <input type="checkbox"/> Meds voluntary / involuntary / no consent 0 <input type="checkbox"/> Criminal proceedings reinstated</p>
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<p>F <input type="checkbox"/> RF\$ [PC1202.4] <input type="checkbox"/> Fine \$ I <input type="checkbox"/> Prob. Viol. Fine \$ <input type="checkbox"/> PVRF/PRCS \$ N <input type="checkbox"/> [PC1202.44] suspended / imposed [PC1202.44] E <input type="checkbox"/> Victim restitution \$ S <input type="checkbox"/> Victim restitution TBD / Not ordered / <input type="checkbox"/> VCB \$ F <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee E <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ S <input type="checkbox"/> COA \$ CCA \$ <input type="checkbox"/> Lab \$ <input type="checkbox"/> Atty Fees \$ <input type="checkbox"/> Prob. Report Fee \$ <input type="checkbox"/> Pay bal. of fine/ <input type="checkbox"/> In lieu of fine/ <input type="checkbox"/> Susp. after fine <input type="checkbox"/> hours Volunteer work by Fee \$ <input type="checkbox"/> Balance of fines / fees / rest. to remain as ordered <input type="checkbox"/> Make payments to Linebarger. <input type="checkbox"/> Other</p>	<p>C <input type="checkbox"/> County jail days / mos / yrs O <input type="checkbox"/> days / mos / yrs credit M <input type="checkbox"/> days / mos / yrs suspended I <input type="checkbox"/> Sentence to commence T <input type="checkbox"/> Serve consecutive / concurrent with: M E N <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD T <input type="checkbox"/> Release from custody to program S <input type="checkbox"/> Day-for-day credit for successful completion of approved day / mo / yr residential treatment program R <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO E <input type="checkbox"/> Sent. recall purs. to 1170.16 / Prop 47 dept resent. G <input type="checkbox"/> See attached additional orders I S</p>	<p>State Prison yrs mos County Jail yrs mos days Mand. Sup. yrs mos days CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) ENH yrs mos ENH yrs mos ACTUAL CTS CONDUCT CTS <input type="checkbox"/> 1/2 time credits <input type="checkbox"/> Parole / PRCS advisement given <input type="checkbox"/> Paper commitment</p>
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☐ REMANDED ☐ Court Courtesy ☐ Ordered released ☐ On OR ☐ Promise to Appear ☒ Cont'd on bond/cash bail posted ☐ Phone calls
 Bail set in the amount of \$ ☐ State Prison Commitment ☐ Committed to custody until sentence is satisfied in full
 TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof.

DATED: 10/31/2019

JUDGE OF THE SUPERIOR COURT

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

DOCKET NO.

SUPERIOR COURT OF CALIFORNIA, MARTINEZ

05-190194-1 01

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

PA RATE-H

DEFENDANT: BLAZ, DEMETRIC DEPT. MCC DATE 7/22/2019 TIME 8:45 AM
 ADDRESS 2921 MAYFLOWER DR ANTIOCH CA 94509 DOB: 06/19/1975
 ROC: TRIAL FEL PROB DEFENSE ATTORNEY ED DELLA P TIME NOT WAIVED
 CUSTODIAL STATUS: SPOND \$300,000
 CHARGES: 01 F PC 211 02 F PC 211 03 F PC 211
04 F PC 245(b) 05 F PC 245(b) W/E MINUTES CERTIFIED CORRECT

JUDGE THERESA CANEPA COURT REPORTER ANTIOCH CLERK A. JANG
 ASSIGN TO DEPT. JUDGE COURT REPORTER CLERK

<p>A <input type="checkbox"/> Def proceeds PRO PER <input type="checkbox"/> Appearance waived P <input checked="" type="checkbox"/> Def appears <input type="checkbox"/> In Custody <input type="checkbox"/> Def not appearing E <input checked="" type="checkbox"/> With / by Atty / Pub Def / ADO <u>DELLAPIANA</u> A <input checked="" type="checkbox"/> Deputy District Atty <u>O'CONNELL</u> R <input type="checkbox"/> Court Probation Officer A <input type="checkbox"/> Interp. <input type="checkbox"/> cert. <input type="checkbox"/> non-cert. N sworn / oath on file / qualified per Rule 2.893 C <input type="checkbox"/> Order <input type="checkbox"/> Interp. <input type="checkbox"/> Coord. Notified E <input type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified <input type="checkbox"/> PD / ADO / PVT <input type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd <input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p>	<p>A Handed copy of: <input type="checkbox"/> Petition to Revoke R <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / GJ transcript R <input type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study A <input type="checkbox"/> Formal arraignment waived / Reading of Compl. I <input type="checkbox"/> Duly arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol. G <input type="checkbox"/> Answers true name as charged N <input type="checkbox"/> Deny enhancements M <input type="checkbox"/> Plea of not guilty entered E <input type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed N <input type="checkbox"/> Obey all laws <input type="checkbox"/> Use true name / DOB T <input type="checkbox"/> Do Not use any alcohol / drugs w/o Rx S <input type="checkbox"/> Attend <u>AA</u> / NA meetings per week and present proof at each court appearance <input type="checkbox"/> Submit to search/testing for <input type="checkbox"/> Re-ref / Reinstate L1 / L2 / PCDDP <input type="checkbox"/> Not drive unless properly licensed and insured. <input type="checkbox"/> Destroy / Return Weapon <input type="checkbox"/> SCRAM / GPS <input type="checkbox"/> Ordered <input type="checkbox"/> Removed</p>	<p>W <input type="checkbox"/> Bench Warrant to issue A Bail set at \$ R <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app A <input type="checkbox"/> Hold until N <input type="checkbox"/> Bail forfeited & continued 190 days T <input type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out I <input type="checkbox"/> Bail exonerated L <input type="checkbox"/> Bail forfeiture set aside & reinstated upon payment of fee \$ C TRIAL: <u>11/4 845 MCC</u> O RC/FC: <u>10/23 830 D-6</u> N PX: T PTC/SET: I <input type="checkbox"/> FUTURE DATES CONFIRMED N <input checked="" type="checkbox"/> Time waived to <u>11/4 (+10) 60 days</u> A <input type="checkbox"/> Vacate date of N <input checked="" type="checkbox"/> Def must / need not appear C <input type="checkbox"/> Trailing E Last Day <u>11/4 only</u></p>
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<p>M <input type="checkbox"/> Defendant held to answer at PX hearing O <input type="checkbox"/> People / Def Motion to / for / cont T <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken I <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted O <input type="checkbox"/> Info / Indictment/Complaint amended on its face to add Ct # <u> </u> a violation of section <u> </u> Fel / Misd N <input type="checkbox"/> Pursuant to 23103.5 CVC R <input type="checkbox"/> Substitute misdemeanor for felony where it appears in Ct # <u> </u> D <input type="checkbox"/> Per Court / DA dismiss Ct # <u> </u> E <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes R Reasons: <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Def. <input type="checkbox"/> Victim <input type="checkbox"/> DA <input type="checkbox"/> Stay away from <u> </u></p>	<p>P <input type="checkbox"/> Court / Formal Prob. <u> </u> yrs. <u> </u> mos. R <input type="checkbox"/> No Probation O <input type="checkbox"/> Adult Pre-Trial / Post Plea / Diversion B <input type="checkbox"/> Prob./ Div./ Parole / PRCS Reinst'd / Ext./ Modif. to <u> </u> A <input type="checkbox"/> Def given / waived rights to Revoc Hg: admits / denies allegation T <input type="checkbox"/> Violation of Prob./ Div. / Parole / PRCS I <input type="checkbox"/> Prob. / Div. / Parole / PRCS revoked O <input type="checkbox"/> In re law notice given N <input type="checkbox"/> Prob. / Div / PRCS: Terminated: <u> </u> Successfully / Unsuccessfully / Denied D <input type="checkbox"/> Crim. proceedings susp. / reinstated / dism. I <input type="checkbox"/> Standard terms & cond. of Probation given V <input type="checkbox"/> PC 296 sample ordered / verified I <input type="checkbox"/> Parole violation(s) sustained / not sustained</p>	<p>P <input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp C <input type="checkbox"/> Court appoints Dr. <u> </u> <u> </u> Purs. PC288.1 / PC1368 1 <input type="checkbox"/> Counsel submit on Dr / CONREP Report 3 dated <u> </u> marked as EXH <u> </u> 6 <input type="checkbox"/> Court finds def competent / incompetent to stand trial 8 <input type="checkbox"/> Court refers def to CONREP / Adult MH 1 <input type="checkbox"/> Def committed to <u> </u> 3 Max term of commitment <u> </u> 7 Local custody credits <u> </u> 9 <input type="checkbox"/> Meds voluntary / involuntary / no consent <input type="checkbox"/> Criminal proceedings reinstated</p>
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<p>F <input type="checkbox"/> RF\$ <u> </u> [PC1202.4] <input type="checkbox"/> Fine \$ <u> </u> I <input type="checkbox"/> Prob. Viol. Fine \$ <u> </u> <input type="checkbox"/> PVR/PRCS \$ <u> </u> <u> </u> [PC1202.44] suspended / imposed [PC1202.44] N <input type="checkbox"/> Victim restitution \$ <u> </u> E <input type="checkbox"/> Victim restitution TBD / Not ordered S <input type="checkbox"/> VCB \$ <u> </u> I <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee F <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ <u> </u> E COA \$ <u> </u> CCA \$ <u> </u> S Lab \$ <u> </u> <u> </u> Atty Fees \$ <u> </u> <input type="checkbox"/> Prob. Report Fee \$ <u> </u> <input type="checkbox"/> Pay bal. of fine/ <input type="checkbox"/> In lieu of fine/ <input type="checkbox"/> Susp. after fine <input type="checkbox"/> hours Volunteer work by <u> </u> Fee \$ <u> </u> <input type="checkbox"/> Balance of fines / fees / rest. to remain as ordered <input type="checkbox"/> Make payments to Linebarger. <input type="checkbox"/> Other <u> </u></p>	<p>C <input type="checkbox"/> County jail <u> </u> days / mos / yrs O <input type="checkbox"/> <u> </u> days / mos / yrs credit M <input type="checkbox"/> <u> </u> days / mos / yrs suspended I <input type="checkbox"/> Sentence to commence <u> </u> T <input type="checkbox"/> Serve consecutive / concurrent with: <u> </u> N <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD E <input type="checkbox"/> Release from custody to program S <input type="checkbox"/> Day-for-day credit for successful completion of approved <u> </u> day / mo / yr residential treatment program R <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO E <input type="checkbox"/> Sent. recall purs. to 1170.18 / Prop 47 dept resent. G <input type="checkbox"/> See attached additional orders</p>	<p>State Prison <u> </u> yrs <u> </u> mos County Jail <u> </u> yrs <u> </u> mos <u> </u> days Mand. Sup. <u> </u> yrs <u> </u> mos <u> </u> days CT <u> </u> L M U <u> </u> yrs <u> </u> mos (cc) (cs) CT <u> </u> L M U <u> </u> yrs <u> </u> mos (cc) (cs) CT <u> </u> L M U <u> </u> yrs <u> </u> mos (cc) (cs) CT <u> </u> L M U <u> </u> yrs <u> </u> mos (cc) (cs) ENH <u> </u> yrs <u> </u> mos ENH <u> </u> yrs <u> </u> mos ACTUAL CTS <u> </u> CONDUCT CTS <u> </u> <input type="checkbox"/> 1/2 time credits <input type="checkbox"/> Parole / PRCS advisement given <input type="checkbox"/> Paper commitment</p>
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☐ REMANDED ☐ Court Courtesy ☐ Ordered released ☐ On OR ☐ Promise to Appear ☒ Cont'd on bond/cash bail posted ☐ Phone calls
 Bail set in the amount of \$ ☐ State Prison Commitment ☐ Committed to custody until sentence is satisfied in full
 TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof.
 DATED: 7/22/2019 THERESA CANEPA
 JUDGE OF THE SUPERIOR COURT

COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
COURT OF CALIFORNIA MARTINEZ

DOCKET NO.
05-190194-1 01

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

PA RATE-H

DIAZ, DEMETRIC

DEPT. MCC

DATE 6/03/2019 TIME 8:45 AM

2821 MAYFLOWER DR

ANTIOCH

CA 94509 DOB: 06/19/1995

TRIAL FEL

PROB

DEFENSE ATTORNEY

PD-DELLA-P

TIME

NOT WAIVED

JIAL STATUS: EBOND

\$300,000

SES: 01 F PC 211

02 F PC 211

03 F PC 211

F PC 245(b)

05 F PC 245(b)

W/E

MORE

MINUTES CERTIFIED CORRECT

JGE

THERESA CANEPA

COURT

REPORTER

M. ARGYROPOULOS

CLERK

A. JANG

SSIGN

O DEPT.

46

JUDGE

Bowen

COURT

REVIEW

VALERIE PRINCE CSR# 7946

C. Castillo

<p>A <input type="checkbox"/> Def proceeds PRO PER <input type="checkbox"/> Appearance waived</p> <p>P <input checked="" type="checkbox"/> Def appears <input type="checkbox"/> In Custody <input type="checkbox"/> Def not appearing</p> <p>E <input checked="" type="checkbox"/> With / by Atty / Pub Def / ADO <i>Carz for</i></p> <p>A <input checked="" type="checkbox"/> Deputy District Atty <i>Cabrera / Bernier</i></p> <p>A <input type="checkbox"/> Court Probation Officer</p> <p>A <input type="checkbox"/> Interp. <input type="checkbox"/> cert. <input type="checkbox"/> non-cert.</p> <p>N <input type="checkbox"/> sworn / oath on file / qualified per Rule 2.893</p> <p>C <input type="checkbox"/> Order <input type="checkbox"/> Interp. <input type="checkbox"/> Coord. Notified</p> <p>E <input type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified</p> <p><input type="checkbox"/> PD / ADO / PVT <input type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd</p> <p><input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p>	<p>A <input type="checkbox"/> Handed copy of: <input type="checkbox"/> Petition to Revoke</p> <p>R <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / GJ transcript</p> <p>R <input type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study</p> <p>G <input type="checkbox"/> Formal arraignment waived / Reading of Compl.</p> <p>N <input type="checkbox"/> Duly arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol.</p> <p>M <input type="checkbox"/> Answers true name as charged</p> <p>E <input type="checkbox"/> Deny enhancements</p> <p>N <input type="checkbox"/> Plea of not guilty entered</p> <p>T <input type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed</p>	<p>W <input type="checkbox"/> Bench Warrant to issue</p> <p>A <input type="checkbox"/> Bail set at \$</p> <p>R <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app</p> <p>A <input type="checkbox"/> Hold until</p> <p>N <input type="checkbox"/> Bail forfeited & continued 190 days</p> <p>T <input type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out</p> <p>I <input type="checkbox"/> Bail exonerated</p> <p>A <input type="checkbox"/> Bail forfeiture set aside & reinstated</p> <p>L <input type="checkbox"/> upon payment of fee \$</p>
<p>P <input type="checkbox"/> Written plea filed <input type="checkbox"/> Pleads Guilty, Ct. #</p> <p>L <input type="checkbox"/> Pleads no contest, Found Guilty Ct #</p> <p>E <input type="checkbox"/> Pleads Not guilty / Found Not guilty by reason of insanity</p> <p>A <input type="checkbox"/> Admits / denies: priors / enhancements / strikes</p> <p>S <input type="checkbox"/> Rights given / waived <input type="checkbox"/> App. Rights given / waived</p> <p>W <input type="checkbox"/> Per PC1192.5</p> <p>A <input type="checkbox"/> Time for Misdo Trial / Sent waived / not waived</p> <p>I <input checked="" type="checkbox"/> Time for Fel PX / Trial 10 / 60 days waived / not waived</p> <p>V <input type="checkbox"/> Time for PV -- 15 / 45 days waived / not waived</p> <p>E <input type="checkbox"/> Other</p>	<p>O <input type="checkbox"/> Obey all laws <input type="checkbox"/> Use true name / DOB</p> <p>R <input type="checkbox"/> Do Not use any alcohol / drugs w/o Rx</p> <p>C <input type="checkbox"/> Attend AA / NA meetings per week and</p> <p>O <input type="checkbox"/> present proof at each court appearance</p> <p>N <input type="checkbox"/> Submit to search/testing for</p> <p>D <input type="checkbox"/> Re-ref / Reinstate L1 / L2 / PCDDP</p> <p>S <input type="checkbox"/> Not drive unless properly licensed and insured.</p> <p><input type="checkbox"/> Destroy / Return Weapon</p> <p><input type="checkbox"/> SCRAM / GPS <input type="checkbox"/> Ordered <input type="checkbox"/> Removed</p>	<p>C <input type="checkbox"/> Trial: 7-22-19 8:45</p> <p>O <input type="checkbox"/> RC/FRC: 7-10-19 0.35</p> <p>N <input type="checkbox"/> PX: 8:30 Dlp</p> <p>T <input type="checkbox"/> PTC/SET:</p> <p>I <input type="checkbox"/> FUTURE DATES CONFIRMED</p> <p>N <input checked="" type="checkbox"/> Time waived to 7/22/19 10/60 days</p> <p>A <input type="checkbox"/> Vacate date of</p> <p>N <input type="checkbox"/> Det (must / need not appear) 7/22</p> <p>C <input type="checkbox"/> Trailing</p> <p>S <input type="checkbox"/> Last Day</p>
<p>M <input type="checkbox"/> Defendant held to answer at PX hearing</p> <p>O <input type="checkbox"/> People / Def Motion to / for / cont</p> <p>T <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken</p> <p>I <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted</p> <p>O <input type="checkbox"/> Info / Indictment/Complaint amended on its face to</p> <p>N <input type="checkbox"/> add Ct # a violation of section</p> <p>S <input type="checkbox"/> Fel / Misd</p> <p>I <input type="checkbox"/> Pursuant to 23103.5 CVC</p> <p>O <input type="checkbox"/> Substitute misdemeanor for felony where it appears</p> <p>D <input type="checkbox"/> in Ct #</p> <p>E <input type="checkbox"/> Per Court / DA dismiss Ct #</p> <p>R <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes</p> <p>S <input type="checkbox"/> Reasons:</p> <p><input type="checkbox"/> Crim. protective order issued/modified/served on</p> <p><input type="checkbox"/> Deft. <input type="checkbox"/> Victim <input type="checkbox"/> DA</p> <p><input type="checkbox"/> Stay away from</p>	<p>P <input type="checkbox"/> Court / Formal Prob. yrs. mos.</p> <p>R <input type="checkbox"/> No Probation</p> <p>O <input type="checkbox"/> Adult Pre-Trial / Post Plea / Diversion</p> <p>B <input type="checkbox"/> Prob./ Div./ Parole / PRCS Reinst'd / Ext./ Modif.</p> <p>A <input type="checkbox"/> to</p> <p>T <input type="checkbox"/> Def given / waived rights to Revoc Hg: admits /</p> <p>I <input type="checkbox"/> denies allegation</p> <p>O <input type="checkbox"/> Violation of Prob./ Div. / Parole / PRCS</p> <p>N <input type="checkbox"/> Prob. / Div. / Parole / PRCS revoked</p> <p>D <input type="checkbox"/> In re law notice given</p> <p>I <input type="checkbox"/> Prob. / Div / PRCS: Terminated:</p> <p>V <input type="checkbox"/> Successfully / Unsuccessfully / Denied</p> <p>P <input type="checkbox"/> Crim. proceedings susp. / reinstated / dism.</p> <p>A <input type="checkbox"/> Standard terms & cond. of Probation given</p> <p>R <input type="checkbox"/> PC 296 sample ordered / verified</p> <p>O <input type="checkbox"/> Parole violation(s) sustained / not sustained</p>	<p>P <input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp</p> <p>C <input type="checkbox"/> Court appoints Dr.</p> <p>1 <input type="checkbox"/> Purs. PC288.1 / PC1368</p> <p>3 <input type="checkbox"/> Counsel submit on Dr / CONREP Report</p> <p>6 <input type="checkbox"/> dated marked as EXH</p> <p>8 <input type="checkbox"/> Court finds def competent / incompetent to</p> <p>1 <input type="checkbox"/> stand trial</p> <p>3 <input type="checkbox"/> Court refers def to CONREP / Adult MH</p> <p>7 <input type="checkbox"/> Def committed to</p> <p>0 <input type="checkbox"/> Max term of commitment</p> <p><input type="checkbox"/> Local custody credits</p> <p><input type="checkbox"/> Meds voluntary / involuntary / no consent</p> <p><input type="checkbox"/> Criminal proceedings reinstated</p>
<p>F <input type="checkbox"/> RF\$ [PC1202.4] <input type="checkbox"/> Fine \$</p> <p>I <input type="checkbox"/> Prob. Viol. Fine \$ <input type="checkbox"/> PVRF/PRCS \$</p> <p>N <input type="checkbox"/> [PC1202.44] suspended / imposed [PC1202.44]</p> <p>E <input type="checkbox"/> Victim restitution \$</p> <p>S <input type="checkbox"/> Victim restitution TBD / Not ordered</p> <p>I <input type="checkbox"/> VCB \$</p> <p>F <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee</p> <p>E <input type="checkbox"/> CJA govt. code 29550 et. seq. \$</p> <p>E <input type="checkbox"/> COA \$ CCA \$</p> <p>S <input type="checkbox"/> Lab \$</p> <p><input type="checkbox"/> Atty Fees \$ <input type="checkbox"/> Prob. Report Fee \$</p> <p><input type="checkbox"/> Pay bal. of fine/ <input type="checkbox"/> In lieu of fine/ <input type="checkbox"/> Susp. after fine</p> <p><input type="checkbox"/> hours Volunteer work by Fee \$</p> <p><input type="checkbox"/> Balance of fines / fees / rest. to remain as ordered</p> <p><input type="checkbox"/> Make payments to Linebarger.</p> <p><input type="checkbox"/> Other</p>	<p>C <input type="checkbox"/> County jail days / mos / yrs</p> <p>O <input type="checkbox"/> days / mos / yrs credit</p> <p>M <input type="checkbox"/> days / mos / yrs suspended</p> <p>I <input type="checkbox"/> Sentence to commence</p> <p>T <input type="checkbox"/> Serve consecutive / concurrent with:</p> <p>M <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD</p> <p>E <input type="checkbox"/> Release from custody to program</p> <p>N <input type="checkbox"/> Day-for-day credit for successful completion of</p> <p>T <input type="checkbox"/> approved day / mo / yr</p> <p>R <input type="checkbox"/> residential treatment program</p> <p>E <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO</p> <p>G <input type="checkbox"/> Sent. recall purs. to 1170.18 / Prop 47 dept resent.</p> <p>I <input type="checkbox"/> See attach. additional orders</p>	<p>S <input type="checkbox"/> State Prison yrs mos</p> <p>T <input type="checkbox"/> County Jail yrs mos days</p> <p>C <input type="checkbox"/> Mand. Sup. yrs mos days</p> <p>O <input type="checkbox"/> CT L M U yrs mos (cc) (cs)</p> <p>N <input type="checkbox"/> CT L M U yrs mos (cc) (cs)</p> <p>D <input type="checkbox"/> CT L M U yrs mos (cc) (cs)</p> <p>E <input type="checkbox"/> CT L M U yrs mos (cc) (cs)</p> <p>N <input type="checkbox"/> ENH yrs mos</p> <p>H <input type="checkbox"/> ENH yrs mos</p> <p>A <input type="checkbox"/> ACTUAL CTS</p> <p>C <input type="checkbox"/> CONDUCT CTS</p> <p><input type="checkbox"/> 1/2 time credits</p> <p><input type="checkbox"/> Parole / PRCS advisement given</p> <p><input type="checkbox"/> Paper commitment</p>
<p><input type="checkbox"/> REMANDED <input type="checkbox"/> Court Courtesy <input type="checkbox"/> Ordered released <input type="checkbox"/> On OR <input type="checkbox"/> Promise to Appear <input checked="" type="checkbox"/> Cont'd on bond/cash bail posted <input type="checkbox"/> Phone calls</p> <p>Bail set in the amount of \$ <input type="checkbox"/> State Prison Commitment <input type="checkbox"/> Committed to custody until sentence is satisfied in full</p> <p>TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof.</p> <p>DATED: 6/03/2019 THERESA CANEPA</p> <p>JUDGE OF THE SUPERIOR COURT</p>		

See back of form for additional information

WHITE - Court

GREEN - Jail (if in custody)

CANARY - Defendant

PINK - Probation

GOLDENROD - CCU

CR-3013 (Rev. 10/12/18)

TESLA-0001058

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

DOCKET NO.

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

DEFENDANT: ELIAS, WENDEL DEPT. 000 DATE 3/15/2019 TIME 1:00 PM
 ADDRESS: 0000 WASHINGTON RD ANTIOCH CA 94509 DOB: 04/10/1995
 ROC: 000 PR PROB DEFENSE ATTORNEY DR. NELLA R. TIME NOT WAIVED
 CUSTODIAL STATUS: SPEND \$300,000
 CHARGES: 04 F PC 245(b) 05 F PC 245(b) 02 F PC 241 02 F PC 241
04 F PC 245(b) 05 F PC 245(b) 02 F PC 241 02 F PC 241

MINUTES CERTIFIED CORRECT

JUDGE P. SCARFITT COURT REPORTER M. Butler CLERK EMILY D. KOSCHER
 ASSIGN TO DEPT. JUDGE COURT REPORTER CLERK

<p>A <input type="checkbox"/> Def proceeds PRO PER <input type="checkbox"/> Appearance waived P <input type="checkbox"/> Def appears <input type="checkbox"/> In Custody <input type="checkbox"/> Def not appearing E <input type="checkbox"/> With / by Atty / Pub Def / ADOs A <input type="checkbox"/> Deputy District Atty R <input type="checkbox"/> Court Probation Officer A <input type="checkbox"/> Interp. <input type="checkbox"/> cert. <input type="checkbox"/> non-cert. N sworn / oath on file / qualified per Rule 2.893 C <input type="checkbox"/> Order <input type="checkbox"/> Interp. <input type="checkbox"/> Coord. Notified E <input type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified <input type="checkbox"/> PD / ADO / PVT <input type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd <input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p>	<p>A Handed copy of: <input type="checkbox"/> Petition to Revoke R <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / GJ transcript A <input type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study I <input type="checkbox"/> Formal arraignment waived / Reading of Compl. G <input type="checkbox"/> Duly arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol. N <input type="checkbox"/> Answers true name as charged M <input type="checkbox"/> Deny enhancements E <input type="checkbox"/> Plea of not guilty entered N <input type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed T <input type="checkbox"/> Obey all laws <input type="checkbox"/> Use true name / DOB <input type="checkbox"/> Do Not use any alcohol / drugs w/o Rx <input type="checkbox"/> Attend AA / NA meetings per week and present proof at each court appearance <input type="checkbox"/> Submit to search/testing for <input type="checkbox"/> Re-ref / Reinstate L1 / L2 / PCDDP <input type="checkbox"/> Not drive unless properly licensed and insured. <input type="checkbox"/> Destroy / Return Weapon <input type="checkbox"/> SCRAM / GPS <input type="checkbox"/> Ordered <input type="checkbox"/> Removed</p>	<p>W <input type="checkbox"/> Bench Warrant to issue A Bail set at \$ R <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app R <input type="checkbox"/> Hold until A <input type="checkbox"/> Bail forfeited & continued 190 days N <input type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out T <input type="checkbox"/> Bail exonerated B <input type="checkbox"/> Bail forfeiture set aside & reinstated A upon payment of fee I <input type="checkbox"/> FUTURE DATES CONFIRMED L <input type="checkbox"/> Time waived to 10 / 60 days <input type="checkbox"/> Vocate date of <input type="checkbox"/> Def must / need not appear <input type="checkbox"/> Trailing Last Day</p>
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<p>M <input type="checkbox"/> Defendant held to answer at PX hearing O <input type="checkbox"/> People / Def Motion to / for / cont T <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken I <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted O <input type="checkbox"/> Info / Indictment/Complaint amended on its face to add Ct # _____ a violation of section _____ Fel / Misd N <input type="checkbox"/> Pursuant to 23103.5 CVC S <input type="checkbox"/> Substitute misdemeanor for felony where it appears in Ct # _____ I <input type="checkbox"/> Per Court / DA dismiss Ct # _____ R <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes D Reasons: <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Deft. <input type="checkbox"/> Victim <input type="checkbox"/> DA <input type="checkbox"/> Stay away from _____</p>	<p>P <input type="checkbox"/> Court / Formal Prob. _____ yrs. _____ mos. O <input type="checkbox"/> No Probation B <input type="checkbox"/> Adult Pre-Trial / Post Plea / Diversion A <input type="checkbox"/> Prob./ Div./ Parole / PRCS Reinst'd / Ext./ Modif. to _____ T <input type="checkbox"/> Def given / waived rights to Revoc Hg: admits / denies allegation I <input type="checkbox"/> Violation of Prob./ Div. / Parole / PRCS O <input type="checkbox"/> Prob. / Div. / Parole / PRCS revoked N <input type="checkbox"/> In re law notice given D <input type="checkbox"/> Prob. / Div / PRCS: Terminated: I Successfully / Unsuccessfully / Denied V <input type="checkbox"/> Crim. proceedings susp. / reinstated / dism. P <input type="checkbox"/> Standard terms & cond. of Probation given A <input type="checkbox"/> PC 296 sample ordered / verified R <input type="checkbox"/> Parole violation(s) sustained / not sustained O <input type="checkbox"/> County jail _____ days / mos / yrs L <input type="checkbox"/> _____ days / mos / yrs credit E <input type="checkbox"/> _____ days / mos / yrs suspended <input type="checkbox"/> Sentence to commence _____ <input type="checkbox"/> Serve consecutive / concurrent with: <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD <input type="checkbox"/> Release from custody to program <input type="checkbox"/> Day-for-day credit for successful completion of approved _____ day / mo / yr residential treatment program <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO <input type="checkbox"/> Sent. recall purs. to 1170.18 / Prop 47 dept resent. <input type="checkbox"/> See attached additional orders</p>	<p>P <input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp C <input type="checkbox"/> Court appoints Dr. _____ 1 Purs. PC288.1 / PC1368 3 <input type="checkbox"/> Counsel submit on Dr / CONREP Report 6 dated _____ marked as EXH 8 <input type="checkbox"/> Court finds def competent / incompetent to stand trial 1 <input type="checkbox"/> Court refers def to CONREP / Adult MH 3 <input type="checkbox"/> Def committed to _____ 7 Max term of commitment _____ 0 Local custody credits _____ <input type="checkbox"/> Meds voluntary / involuntary / no consent <input type="checkbox"/> Criminal proceedings reinstated</p>
---	---	--

<p>F <input type="checkbox"/> RF\$ _____ [PC1202.4] <input type="checkbox"/> Fine \$ _____ I <input type="checkbox"/> Prob. Viol. Fine \$ _____ PVR/PRCS \$ _____ N [PC1202.44] suspended / imposed [PC1202.44] E <input type="checkbox"/> Victim restitution \$ _____ S <input type="checkbox"/> Victim restitution TBD / Not ordered I <input type="checkbox"/> VCB \$ _____ F <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee E <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ _____ E COA \$ _____ CCA \$ _____ S Lab \$ _____ Drug Ed \$ _____ Atty Fees \$ _____ Prob. Report Fee \$ _____ <input type="checkbox"/> Pay bal. of fine / <input type="checkbox"/> In lieu of fine / <input type="checkbox"/> Susp. after fine <input type="checkbox"/> _____ hours Volunteer work by _____ Fee \$ _____ <input type="checkbox"/> Balance of fines / fees / rest. to remain as ordered <input type="checkbox"/> Make payments to AllianceOne. <input type="checkbox"/> Other _____</p>	<p>C <input type="checkbox"/> County jail _____ days / mos / yrs O <input type="checkbox"/> _____ days / mos / yrs credit M <input type="checkbox"/> _____ days / mos / yrs suspended I <input type="checkbox"/> Sentence to commence _____ T <input type="checkbox"/> Serve consecutive / concurrent with: M <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD E <input type="checkbox"/> Release from custody to program N <input type="checkbox"/> Day-for-day credit for successful completion of approved _____ day / mo / yr residential treatment program T <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO H <input type="checkbox"/> Sent. recall purs. to 1170.18 / Prop 47 dept resent. I <input type="checkbox"/> See attached additional orders</p>	<p>State Prison _____ yrs _____ mos County Jail _____ yrs _____ mos _____ days Mand. Sup. _____ yrs _____ mos _____ days CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) ENH _____ yrs _____ mos ENH _____ yrs _____ mos ACTUAL CTS _____ CONDUCT CTS _____ <input type="checkbox"/> 1/2 time credits <input type="checkbox"/> Parole / PRCS advisement given <input type="checkbox"/> Paper commitment</p>
---	--	--

☐ REMANDED ☐ Court Courtesy ☐ Ordered released ☐ On OR ☐ Promise to Appear ☐ Cont'd on bond/cash bail posted ☐ Phone calls
 Bail set in the amount of \$ _____ ☐ State Prison Commitment ☐ Committed to custody until sentence is satisfied in full
 TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof.
 DATED: _____

JUDGE OF THE SUPERIOR COURT

See back of form for additional information

WHITE - Court GREEN - Jail (fill in custody)

CANARY - Defendant

PINK - Probation

GOLDENROD - CCL

CR-3013 (Rev. 9/8/17)

TESLA-0001059

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

DOCKET NO.

SUPERIOR COURT OF CALIFORNIA

MARTINEZ

05-190194-1 01

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

PA RATE-H

DEFENDANT: DIAZ, DEMETRIC DEPT. 003 DATE 2/11/2019 TIME 1:30 PM
 ADDRESS 2521 HAYFLOWER DR ANTIOCH CA 94509 DOB: 06/19/1975
 ROC: ARR FEL PROB DEFENSE ATTORNEY PD DELLA P TIME WAIVED
 CUSTODIAL STATUS: SBOND \$300,000
 CHARGES: 01 F PC 211 02 F PC 245(a)(2) 03 F PC 245(a)(2)
04 F PC 245(a)(2) W/E MINUTES CERTIFIED CORRECT

JUDGE P. SCANLON COURT REPORTER C. YACOVETTI CLERK ARNOLD/KOEBER
 ASSIGN COURT REPORTER L. ANDERSON
 TO DEPT. JUDGE

<p>A <input type="checkbox"/> Def proceeds PRO PER <input type="checkbox"/> Appearance waived P <input checked="" type="checkbox"/> Def appears <input type="checkbox"/> In Custody <input type="checkbox"/> Def not appearing E <input checked="" type="checkbox"/> With / by Atty / Pub Def / App <u>Arnell</u> A <input checked="" type="checkbox"/> Deputy District Atty <u>Arnell</u> R <input type="checkbox"/> Court Probation Officer A <input type="checkbox"/> Interp. <input type="checkbox"/> cert. <input type="checkbox"/> non-cert. N <input type="checkbox"/> sworn / oath on file / qualified per Rule 2.893 C <input type="checkbox"/> Order <input type="checkbox"/> Interp. <input type="checkbox"/> Coord. Notified E <input type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified <input type="checkbox"/> PD / ADO / PVT <input type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd <input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p>	<p>A <input type="checkbox"/> Handed copy of: <input type="checkbox"/> Petition to Revoke R <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / B transcript R <input type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study A <input checked="" type="checkbox"/> Formal arraignment waived / Reading of Compl. I <input type="checkbox"/> Duly arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol. G <input type="checkbox"/> Answers true name as charged N <input checked="" type="checkbox"/> Deny enhancements M <input checked="" type="checkbox"/> Plea of not guilty entered E <input checked="" type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed N <input type="checkbox"/> Obey all laws <input type="checkbox"/> Use true name / DOB T <input type="checkbox"/> Do Not use any alcohol / drugs w/o Rx C <input type="checkbox"/> Attend AA / NA meetings per week and O <input type="checkbox"/> present proof at each court appearance N <input type="checkbox"/> Submit to search/testing for D <input type="checkbox"/> Re-ref / Reinstate L1 / L2 / PCDDP S <input type="checkbox"/> Not drive unless properly licensed and insured. <input type="checkbox"/> Destroy / Return Weapon <input type="checkbox"/> SCRAM / GPS <input type="checkbox"/> Ordered <input type="checkbox"/> Removed</p>	<p>W <input type="checkbox"/> Bench Warrant to issue A <input type="checkbox"/> Bail set at \$ R <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app A <input type="checkbox"/> Hold until N <input type="checkbox"/> Bail forfeited & continued 190 days T <input type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out I <input type="checkbox"/> Bail exonerated L <input type="checkbox"/> Bail forfeiture set aside & reinstated upon payment of fee \$ C TRIAL: O RC/FRC: N PX: T PTO SET: <u>3/18 1:30 D3</u> I N U <input type="checkbox"/> FUTURE DATES CONFIRMED A <input checked="" type="checkbox"/> Time waived to <u>3/18</u> +10 / 60 days N <input type="checkbox"/> Vacate date of C <input checked="" type="checkbox"/> Det must / need not appear E <input type="checkbox"/> Trailing S Last Day</p>	
<p>P <input type="checkbox"/> Written plea filed <input type="checkbox"/> Pleads Guilty, Ct. # L <input type="checkbox"/> Pleads no contest, Found Guilty Ct # E <input type="checkbox"/> Pleads Not guilty / Found Not guilty by reason of insanity A <input type="checkbox"/> Admits / denies: priors / enhancements / strikes S <input type="checkbox"/> Rights given / waived <input type="checkbox"/> App. Rights given / waived I <input type="checkbox"/> Per PC1192.5 V <input type="checkbox"/> Time for Misdo Trial / Sent waived / not waived E <input type="checkbox"/> Time for Fel PX / Trial 10 / 60 days waived / not waived R <input type="checkbox"/> Time for PV - 15 / 45 days waived / not waived S <input type="checkbox"/> Other</p>	<p>P <input type="checkbox"/> Defendant held to answer at PX hearing O <input type="checkbox"/> People / Def Motion to / for / cont T <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken I <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted O <input type="checkbox"/> Info / Indictment/Complaint amended on its face to N add Ct # a violation of section S / <input type="checkbox"/> Fel / Misd I <input type="checkbox"/> Pursuant to 23103.5 CVC O <input type="checkbox"/> Substitute misdemeanor for felony where it appears R in Ct # D <input type="checkbox"/> Per Court / DA dismiss Ct # E <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes S Reasons: <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Deft. <input type="checkbox"/> Victim <input type="checkbox"/> DA <input type="checkbox"/> Stay away from</p>	<p>P <input type="checkbox"/> Court / Formal Prob. yrs. mos. C <input type="checkbox"/> No Probation O <input type="checkbox"/> Adult Pre-Trial / Post Plea / Diversion B <input type="checkbox"/> Prob./ Div. / Parole / PRCS Reinst'd / Ext. / Modif. A to T <input type="checkbox"/> Def given / waived rights to Revoc Hg: admits / I denies allegation O <input type="checkbox"/> Violation of Prob./ Div. / Parole / PRCS N <input type="checkbox"/> Prob. / Div. / Parole / PRCS revoked D <input type="checkbox"/> In re law notice given I <input type="checkbox"/> Prob. / Div / PRCS: Terminated: V Successfully / Unsuccessfully / Denied I <input type="checkbox"/> Crim. proceedings susp. / reinstated / dsm. P <input type="checkbox"/> Standard terms & cond. of Probation given A <input type="checkbox"/> PC 296 sample ordered / verified R <input type="checkbox"/> Parole violation(s) sustained / not sustained O <input type="checkbox"/> County jail days / mos / yrs L <input type="checkbox"/> days / mos / yrs credit M <input type="checkbox"/> days / mos / yrs suspended M <input type="checkbox"/> Sentence to commence E <input type="checkbox"/> Serve consecutive / concurrent with: N <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD T <input type="checkbox"/> Release from custody to program S <input type="checkbox"/> Day-for-day credit for successful completion of R approved day / mo / yr E residential treatment program G <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO I <input type="checkbox"/> Sent. recall purs. to 1170.18 / Prop 47 dept resent. S <input type="checkbox"/> See attached additional orders</p>	<p>P <input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp C <input type="checkbox"/> Court appoints Dr. I Purs. PC288.1 / PC1368 3 <input type="checkbox"/> Counsel submit on Dr / CONREP Report 6 dated marked as EXH 8 <input type="checkbox"/> Court finds def competent / incompetent to 1 stand trial 3 <input type="checkbox"/> Court refers def to CONREP / Adult MH 7 <input type="checkbox"/> Def committed to 0 Max term of commitment Local custody credits <input type="checkbox"/> Meds voluntary / involuntary / no consent <input type="checkbox"/> Criminal proceedings reinstated State Prison yrs mos County Jail yrs mos days Mand. Sup. yrs mos days CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) ENH yrs mos ENH yrs mos ACTUAL CTS CONDUCT CTS <input type="checkbox"/> 1/2 time credits <input type="checkbox"/> Parole / PRCS advisement given <input type="checkbox"/> Paper commitment</p>
<p>F <input type="checkbox"/> RFS [PC1202.4] <input type="checkbox"/> Fine \$ I <input type="checkbox"/> Prob. Viol. Fine \$ <input type="checkbox"/> PVRP/PRCS \$ N [PC1202.44] suspended / imposed [PC1202.44] E <input type="checkbox"/> Victim restitution \$ S <input type="checkbox"/> Victim restitution TBD / Not ordered / <input type="checkbox"/> VCB \$ F <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee E <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ E COA \$ CCA \$ Lab \$ Drug Ed \$ Atty Fees \$ Prob. Report Fee \$ <input type="checkbox"/> Pay bal. of fine/ <input type="checkbox"/> In lieu of fine/ <input type="checkbox"/> Susp. after fine <input type="checkbox"/> hours Volunteer work by Fee \$ <input type="checkbox"/> Balance of fines / fees / rest. to remain as ordered <input type="checkbox"/> Make payments to AllianceOne. <input type="checkbox"/> Other</p>	<p><input type="checkbox"/> REMANDED <input type="checkbox"/> Court Courtesy <input type="checkbox"/> Ordered released <input type="checkbox"/> On OR <input type="checkbox"/> Promise to Appear <input checked="" type="checkbox"/> Cont'd on bond/cash bail posted <input type="checkbox"/> Phone calls Bail set in the amount of \$ <input type="checkbox"/> State Prison Commitment <input type="checkbox"/> Committed to custody until sentence is satisfied in full TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof. DATED: <u>2/11/2019</u> JUDGE OF THE SUPERIOR COURT</p>		

See back of form for additional information

WHITE - Court GREEN - bail (if in custody)

CANARY - Defendant

PINK - Probation

GOLDENROD - CCU

CR-3013 (Rev. 9/8/17)

TESLA-0001060

2/1

PEOPLE vs DEMETRIC DIAZ, 04-195330-6, Vols 1 Contra Costa_Report
PEOPLE vs DEMETRIC DIAZ
04-195330-6
Volume 1 51901941

Superior Court Transcript, Vol 1
First Proceeding Date: January 22, 2019
Bind-over/End Date: January 22, 2019

Additional Dates:

DA- S. O'CONNELL PD- K. DELLA-PIANA ADO- E. KULUK

Upload Date/Time: February 01, 2019 3:03PM

Reporter(s): Priscilla Gwaltney

FILED
FEB 04 2019

K. BIERER, CLERK OF THE COURT
SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA
By: T. Micko, Deputy Clerk

Published To:

=====
District Attorney - Contra Costa <DAtranscripts@contracostada.org>;
Public Defender - Contra Costa <PDtranscripts@pd.cccounty.us>;
Alternate Defender - Contra Costa <adotranscripts@pd.cccounty.us>
=====

Total Pages: 114 Transcript Pages
1 Index Pages

115 Transcript and Index Pages

Superior Court of California, County of Contra Costa
☐ MARTINEZ ☒ PITTSBURG ☐ RICHMOND

5-190194-1
 SUPPLEMENTAL

FELONY, COMMITMENT,
 HOLDING OVER, REMANDING FORM

CLERK'S DOCKET AND MINUTES

DEFENDANT (NAME):

Demetrio Diaz

CASE #

04-195330-6 A 1

APPLICABLE ENTRIES MARKED

APPEARANCES

☒ Deputy District Attorney

Simon O'Connell

PROCEEDINGS

Defendant and Attorney

DPD Krista Della Piana

Voir dire by

☐ Other

offer Barrera designated as investigating for

MOTIONS

☐ Motion to Exclude Witness(es)/Spectators ☐ Except

by

☐ Granted ☐ Denied

☒ Motion by People/Defense for

reduce bail / release to prog

☐ Motion to reduce per PC 17b is

☒ Argued & Submitted ☐ Submitted Without Argument ☐ Granted ☒ Denied ☐ Taken Under Submission ☐ Other

WITNESSES

WITNESS(ES) SWORN AND TESTIFIED FOR PEOPLE

1. offer Ryan Perez et al, BPD
 2. offer Edward Barrera

3. _____
 4. _____
 5. _____
 6. _____

☐ See reverse side for additional witnesses and exhibits

EXHIBITS

EXHIBITS ON BEHALF OF THE PEOPLE
 Description

1. _____
 2. _____
 3. _____
 4. _____
 5. _____
 6. _____

Marked Withdrawn Admitted

☐ ☐ ☐
☐ ☐ ☐
☐ ☐ ☐
☐ ☐ ☐
☐ ☐ ☐
☐ ☐ ☐

see attached ex list

WITNESS(ES) SWORN AND TESTIFIED FOR DEFENDANT

1. _____
 2. _____
 3. _____
 4. _____

☐ See reverse side for additional witnesses and exhibits

EXHIBITS ON BEHALF OF THE DEFENDANT
 Description

A. _____
 B. _____
 C. _____
 D. _____

Marked Withdrawn Admitted

☐ ☐ ☐
☐ ☐ ☐
☐ ☐ ☐
☐ ☐ ☐

see attached ex list

☒ People Rest ☐ Defense Rests ☐ No Evidence by Defendant

☒ Closing Argument by People

☒ Closing Argument by Defense

DPD Della Piana

☒ Rebuttal Closing by People

DDA O'Connell

☐ Submitted

COURT ACTION

PRELIMINARY EXAMINATION HELD

☐ Preliminary examination was held on the above date and it appearing to the below named Judge that a Felony Violation of 43 2, 3, 4, 5 has been committed and

there is sufficient cause to believe the above named defendant GUILTY thereof, it is ordered that Defendant be held to answer to same.

PLEA OF GUILTY

☐ The above named defendant, being charged in a complaint on file in this Court under the above case number, and having entered a plea of GUILTY to a Felony Violation of _____, it is so ordered that this case together with a copy of all proceedings held herein is certified to the Superior Court of California, County of Contra Costa.

PRELIMINARY EXAMINATION WAIVED

☒ The above named defendant, being charged in a complaint on file in this Court under the above case number, and having waived preliminary examination of the charges, the Court and the District Attorney consenting thereto, it is ordered that Defendant be held to answer the same.

DISCHARGE

☒ Defendant is Discharged as to Counts et al

☐ Other

SETTINGS/REFERRALS

☒ Defendant ordered to appear in the Superior Court of Contra Costa County Department 3

on 2/11/19 at 1:30 for ARR

☐ Defendant referred to Probation Department for Report

☒ Stipulated that exhibits be returned to proffering parties ☐ Exhibits retained by court

☐ Other

reduced

CUSTODIAL STATUS

☐ DEFENDANT REMANDED to custody to Sheriff until legally discharged.

☒ ADMIT TO BAIL amount of \$ 100,000 and defendant is remanded to the Sheriff of this County until such bail is given.

☐ DEFENDANT RELEASED/CONTINUED on own recognizance.

☐ DEFENDANT TO REMAIN FREE on cash/bail bond as posted or own recognizance

☐ DEFENDANT RELEASED on signed promise to appear

TO THE SHERIFF. I hereby certify that the following is a true copy of the entry of the judgment of order and is your authority for the execution thereof.

DATED: 1/22/19

Julie Johnson
 Judge of the Superior Court

☐ See other minute pages for additional proceedings

TESLA-0001062

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
 SUPERIOR COURT OF CALIFORNIA PITTSBURG

DOCKET NO.

04-195330-6 01

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

PA RATE-H

DEFENDANT: DIAZ, DEMETRIC DEPT: 004 DATE: 1/22/2019 TIME: 8:45 AM
 ADDRESS: 2221 MAYFLOWER DR ANTIOCH CA: 94509 DOB: 06/19/1995
 ROC: PX FEL PROB: DEFENSE ATTORNEY: PD-DELLA-P TIME: 10:00 WAIVED: NO
 CUSTODIAL STATUS: CUST TARGET: 2/08/
 CHARGES: 01 F PC 209(b)(1) 02 F PC 211 03 F PC 245(a)(2)
4 F PC 245(a)(2) Department 26 PC 245(a)(2) W/E
 Judge Judy Johnson MINUTES CERTIFIED CORRECT
 JUDGE: MARY A O'MALL Clerk: Jocelyn Lem COURT REPORTER: M. HAYNES CLERK: D. MURGUIA
 ASSIGN: Reporter: Priscilla Gwaltney, CSR#00346
 TO DEPT: JUDGE REPORTER CLERK: 602 2/26

<p>A <input type="checkbox"/> Def proceeds PRO PER <input type="checkbox"/> Appearance waived P <input type="checkbox"/> Def appears <input checked="" type="checkbox"/> In Custody <input type="checkbox"/> Def not appearing E <input type="checkbox"/> With / by Atty / Pub Def / ADO <u>Debra Plan</u> A <input type="checkbox"/> Deputy District Atty <u>Debra Plan</u> R <input type="checkbox"/> Court Probation Officer A <input type="checkbox"/> Interp. <input type="checkbox"/> cert. <input type="checkbox"/> non-cert. N <input type="checkbox"/> sworn / oath on file / qualified per Rule 2.893 C <input type="checkbox"/> Order <input type="checkbox"/> Interp. <input type="checkbox"/> Coord. Notified E <input type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified <input type="checkbox"/> PD / ADO / PVT <input type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd <input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p>	<p>A Handed copy of: <input type="checkbox"/> Petition to Revoke R <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / GJ transcript A <input type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study I <input type="checkbox"/> Formal arraignment waived / Reading of Compl. G <input type="checkbox"/> Duty arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol. N <input type="checkbox"/> Answers true name as charged M <input type="checkbox"/> Deny enhancements E <input type="checkbox"/> Plea of not guilty entered T <input type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed</p>	<p>W <input type="checkbox"/> Bench Warrant to issue A Bail set at \$ R <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app A <input type="checkbox"/> Hold until N <input type="checkbox"/> Bail forfeited & continued 190 days Y <input type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out I <input type="checkbox"/> Bail exonerated E <input type="checkbox"/> Bail forfeiture set aside & reinstated A upon payment of fee \$ I <input type="checkbox"/> Trial <u>2/11/19 1:30</u> C <input type="checkbox"/> PTC/SET: <u>D 3 M F 2</u> O <input type="checkbox"/> FUTURE DATES CONFIRMED N <input type="checkbox"/> Time waived to <u>+10 / 60 days</u> T <input type="checkbox"/> Vacate date of I <input type="checkbox"/> Def must / need not appear <u>3</u> U <input type="checkbox"/> Trailing N Last Day</p>
<p>P <input type="checkbox"/> Written plea filed <input type="checkbox"/> Pleads Guilty, Ct. # L <input type="checkbox"/> Pleads no contest, Found Guilty Ct # E <input type="checkbox"/> Pleads Not guilty / Found Not guilty by reason of insanity A <input type="checkbox"/> Admits / denies: priors / enhancements / strikes I <input type="checkbox"/> Rights given / waived <input type="checkbox"/> App. Rights given / waived V <input type="checkbox"/> Per PC1192.5 A <input type="checkbox"/> Time for Misd Trial / Sent waived / not waived I <input type="checkbox"/> Time for Fel PX / Trial 10 / 60 days waived / not waived V <input type="checkbox"/> Time for PV - 15 / 45 days waived / not waived E <input type="checkbox"/> Other <u>at 1 + enh discharged</u></p>	<p>O <input type="checkbox"/> Obey all laws <input type="checkbox"/> Use true name / DOB R <input type="checkbox"/> Do Not use any alcohol / drugs w/o Rx C <input type="checkbox"/> Attend AA / NA meetings per week and O present proof at each court appearance N <input type="checkbox"/> Submit to search/testing for D <input type="checkbox"/> Re-ref / Reinstate L1 / L2 / PCDDP S <input type="checkbox"/> Not drive unless properly licensed and insured. <input type="checkbox"/> Destroy / Return Weapon <input type="checkbox"/> SCRAM / GPS <input type="checkbox"/> Ordered <input type="checkbox"/> Removed</p>	<p>P <input type="checkbox"/> Defendant held to answer at PX hearing C <input type="checkbox"/> People / Def Motion to / for / cont <u>revoke bail</u> O <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken <u>rel to</u> T <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted <u>procy</u> I <input type="checkbox"/> Info / Indictment/Complaint amended on its face to O add Ct # _____ a violation of section R _____ Fel / Misd D <input type="checkbox"/> Pursuant to 23103.5 CVC E <input type="checkbox"/> Substitute misdemeanor for felony where it appears S in Ct # <input type="checkbox"/> Per Court / DA dismiss Ct # <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes Reasons: <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Deft. <input type="checkbox"/> Victim <input type="checkbox"/> DA <input type="checkbox"/> Stay away from _____</p>
<p>F <input type="checkbox"/> RE\$ _____ [PC1202.4] <input type="checkbox"/> Fine \$ _____ I <input type="checkbox"/> Prob. Viol. Fine \$ _____ <input type="checkbox"/> PVR/PCRS \$ _____ N [PC1202.4] suspended / imposed [PC1202.4] E <input type="checkbox"/> Victim restitution \$ _____ S <input type="checkbox"/> Victim restitution TBD / Not ordered <input type="checkbox"/> VCB \$ _____ <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ _____ <input type="checkbox"/> COA \$ _____ CCA \$ _____ <input type="checkbox"/> Lab \$ _____ Drug Ed \$ _____ <input type="checkbox"/> Atty Fees \$ _____ Prob. Report Fee \$ _____ <input type="checkbox"/> Pay bal. of fine/ <input type="checkbox"/> in lieu of fine/ <input type="checkbox"/> Susp. after fine <input type="checkbox"/> hours Volunteer work by _____ Fee \$ _____ <input type="checkbox"/> Balance of fines / fees / rest. to _____ <input type="checkbox"/> Make payments to AllianceOne. <input type="checkbox"/> Other <u>\$300,000</u></p>	<p>C <input type="checkbox"/> County jail _____ days / mos / yrs O _____ days / mos / yrs credit M _____ days / mos / yrs suspended I <input type="checkbox"/> Sentence to commence _____ T <input type="checkbox"/> Serve consecutive / concurrent with: M _____ E <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD N <input type="checkbox"/> Release from custody to program T <input type="checkbox"/> Day-for-day credit for successful completion of approved _____ day / mo / yr residential treatment program <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO <input type="checkbox"/> Sent. recall purs. to 1170.18 / Prop 47 dept resent. <input type="checkbox"/> See attached additional orders</p>	<p>State Prison _____ yrs _____ mos County Jail _____ yrs _____ mos _____ days Mand. Sup. _____ yrs _____ mos _____ days CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) ENH _____ yrs _____ mos ENH _____ yrs _____ mos ACTUAL CTS _____ CONDUCT CTS _____ <input type="checkbox"/> 1/2 time credits <input type="checkbox"/> Parole / PCRS advisement given <input type="checkbox"/> Paper commitment</p>
<p><input checked="" type="checkbox"/> REMANDED <input type="checkbox"/> Court Courtesy <input type="checkbox"/> Ordered released <input type="checkbox"/> On OR <input type="checkbox"/> Promise to Appear <input type="checkbox"/> Cont'd on bond/cash bail posted <input type="checkbox"/> Phone calls Bail set in the amount of \$ _____ <input type="checkbox"/> State Prison Commitment <input type="checkbox"/> Committed to custody until sentence is satisfied in full TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for its execution thereof. DATED: <u>1/22/2019</u> <u>MARY A O'MALL</u> JUDGE OF THE SUPERIOR COURT</p>		

See back of form for additional information

WHITE - Court GREEN - bail (if in custody) CANARY - Defendant PINK - Probation GOVERNOR - CCI

CR-3013 (Rev 9/8/17)

TESLA-0001063

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF CONTRA COSTA

HON. JUDY JOHNSON
PRISCILLA GWALTNEY #13316
J. LEM, COURTROOM CLERK
G. HENDERSON, BAILIFF
DEPARTMENT 26

PEOPLE OF THE STATE OF
CALIFORNIA

DDA Simon O'Connell

vs

DEMETRIC DIAZ
CLENZELL BRYANT

DPD Krista Della Piana
ADO Evan Kuluk

DEFENDANT

Docket 04-195330-6

PRELIMINARY HEARING
EXHIBIT LIST

PPL	DEF	DESCRIPTION	ID 2019	ADMITTED 2019	W/DRAWN 2019
1		Front of Domino's location	1/22/19	1/22/19	
2		Inside of Domino's - cash register area	1/22/19	1/22/19	
3		Inside of Domino's - Food prep and sink area with two standing individuals	1/22/19	1/22/19	
4		Inside of Domino's - Back of cash register area, depicting open register on night of incident	1/22/19	1/22/19	
5		Rear kitchen area of Domino's	1/22/19	1/22/19	
6		White Honda FIT vehicle	1/22/19	1/22/19	

TESLA-0001064

PPL	DEF	DESCRIPTION	ID 2019	ADMITTED 2019	W/DRAWN 2019
7		Rear view of white Honda FIT vehicle, depicting no rear license plate/sticker	1/22/19	1/22/19	
8		Open trunk depicting license plates & frames	1/22/19	1/22/19	
9		Black male	1/22/19	1/22/19	
10		Jean pocket of individual depicting money bills	1/22/19		
11		Jean pocket of individual depicting money bills	1/22/19		
12		Black head mask	1/22/19	1/22/19	
13		Cardboard box retrieved from trunk of FIT (labeled Case #1806244)	1/22/19	1/22/19	
14		Black paintball gun found in trunk of FIT	1/22/19	1/22/19	
15		Surveillance still of gunman w/gun on victim Sharifi 12/21/18 21:52.:28	1/22/19	1/22/19	
16		Leather hockey-like face mask found on floorboard of FIT	1/22/19	1/22/19	
	A(1)	Paintball gun retrieved from trunk of FIT	1/22/19	1/22/19	
	B(1)	Paintball gun retrieved from trunk of FIT	1/22/19	1/22/19	
	C(1)	Two individuals at food prep area	1/22/19		
	D(1)	Front of Dominos	1/22/19		
	E(1)	Inside of Domino's - cash register area	1/22/19		
	F(1)	Inside of Domino's - area behind register area	1/22/19	1/22/19	
	G(1)	Inside of Domino's - cash registers w/Officer Baccera's markings	1/22/19	1/22/19	
	H(1)	Inside of Domino's - cash registers	1/22/19		
	I(1)	Inside of Domino's - Kitchen area	1/22/19		

PPL	DEF	DESCRIPTION	ID 2019	ADMITTED 2019	W/DRAWN 2019
	J(1)	Inside of Domino's-cash registers	1/22/19		

From: CCC DISTRICT ATTORNEY

925 646 4174

01/18/2019 09:51

#861 P 0047013

PITT FRC
JUDGE MARY A O'MALLEY01/18/2019 8:20
DEPARTMENT 004

PAGE 3

CURRIE, DELANO DESHAWN 195107-8 F CUST FRC PD-MASTROM 8:20
CHARGES: PC 422(a)
PC 314(1)

PX 01/22/19

SOFT GO ✓

DIAZ, DEMETRIC 195330-6 F CUST FRC NO PD-DELLA-P 8:20
CHARGES: PC 209(b)(1)
PC 211
PC 245(a)(2)
PC 245(a)(2)
PC 245(a)(2)

PX 01/22/19

CONFIRM ✓

BRYANT, CLENZELL 195330-6 F CUST FRC NO KULUK 8:20
2 CHARGES: PC 209(b)(1)
2 PC 211
2 VC 2800.2
2
2

PX 01/22/19

CONFIRM ✓

2 hrs

DUTRA, THOMAS ANDREW 195316-5 F CUST FRC NO PD-FIERRO 8:20
CHARGES: PC 496D(a)
PC 496D(a)
PC 496(a)
PC 148.9(a)

PX 01/22/19

FLORES, ESTEBAN SAMUEL 195423-9 F CUST FRC NO PD-MCNAMAR 8:20
CHARGES: PC 211

PX 01/23/19

TESLA-0001067

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
 SUPERIOR COURT OF CALIFORNIA PITTSBURG

DOCKET NO.
 04-195330-6 01

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

PA RATE-H

DEFENDANT: DIAZ, DEMETRIC DEPT. 004 DATE 1/15/2019 TIME 8:45 AM
 ADDRESS 2821 MAYFLOWER DR ANTIOCH CA 94509 DOB: 06/19/1995
 ROC: PX FEL PROB DEFENSE ATTORNEY PD-DELLA-P TIME 10 (WAIVED)
 CUSTODIAL STATUS: CUST TARGET: 2/08/19
 CHARGES: 01 F PC 209(b)(1) 02 F PC 211 03 F PC 245(a)(2)
 04 F PC 245(a)(2) 05 F PC 245(a)(2) W/E 604-2121 MINUTES CERTIFIED CORRECT

JUDGE MARY A O'MALLEY

COURT REPORTER M. HAYNES

CLERK D. MURGUIA

ASSIGN

COURT

TO DEPT.

JUDGE

REPORTER

CLERK

<p>A <input type="checkbox"/> Def proceeds PRO PER <input checked="" type="checkbox"/> Appearance waived P <input checked="" type="checkbox"/> Def appears <input type="checkbox"/> In Custody <input type="checkbox"/> Def not appearing E <input checked="" type="checkbox"/> With / by Atty / Pub Del / ADO <i>Frario</i> A <input checked="" type="checkbox"/> Deputy District Atty <i>O'Connell</i> R <input type="checkbox"/> Court Probation Officer A <input type="checkbox"/> Interp. <input type="checkbox"/> cert. <input type="checkbox"/> non-cert. N <input type="checkbox"/> sworn / oath on file / qualified per Rule 2.893 C <input type="checkbox"/> Order <input type="checkbox"/> Interp. <input type="checkbox"/> Coord. Notified E <input type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified <input type="checkbox"/> PD / ADO / PVT <input type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd <input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p>	<p>A Handed copy of: <input type="checkbox"/> Petition to Revoke R <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / GJ transcript A <input type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study I <input type="checkbox"/> Formal arraignment waived / Reading of Compl. G <input type="checkbox"/> Duly arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol. N <input type="checkbox"/> Answers true name as charged M <input type="checkbox"/> Deny enhancements E <input type="checkbox"/> Plea of not guilty entered N <input type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed</p>	<p>W <input type="checkbox"/> Bench Warrant to issue A Bail set at \$ R <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app A <input type="checkbox"/> Hold until N <input type="checkbox"/> Bail forfeited & continued 190 days T <input type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out I <input type="checkbox"/> Bail exonerated B <input type="checkbox"/> Bail forfeiture set aside & reinstated A upon payment of fee \$ L</p>
<p>P <input type="checkbox"/> Written plea filed <input type="checkbox"/> Pleads Guilty, Ct. # L <input type="checkbox"/> Pleads no contest, Found Guilty Ct # E <input type="checkbox"/> Pleads Not guilty / Found Not guilty by reason of insanity A <input type="checkbox"/> Admits / denies: priors / enhancements / strikes S <input type="checkbox"/> Rights given / waived <input type="checkbox"/> App. Rights given / waived I <input type="checkbox"/> Per PC1192.5 W <input type="checkbox"/> Time for Misdo Trial / Sent waived / not waived A <input type="checkbox"/> Time for Fel PX / Trial 10 / 60 days waived / not waived I <input type="checkbox"/> Time for PV - 15 / 45 days waived / not waived V <input type="checkbox"/> Other <i>A counsel bill - 1050.1 cont's.</i> E</p>	<p>O <input type="checkbox"/> Obey all laws <input type="checkbox"/> Use true name / DOB R <input type="checkbox"/> Do Not use any alcohol / drugs w/o Rx C <input type="checkbox"/> Attend AA / NA meetings per week and O present proof at each court appearance N <input type="checkbox"/> Submit to search/testing for D <input type="checkbox"/> Re-ref / Reinstate L1 / L2 / PCDDP S <input type="checkbox"/> Not drive unless properly licensed and insured. <input type="checkbox"/> Destroy / Return Weapon <input type="checkbox"/> SCRAM / GPS <input type="checkbox"/> Ordered <input type="checkbox"/> Removed</p>	<p>C TRIAL: <i>1/18 8:20</i> O RC/ERC: <i>1/22 8:45-8:45</i> N PX: <i>1/22 8:45-8:45</i> T PTC/SET: I <input type="checkbox"/> FUTURE DATES CONFIRMED N <input type="checkbox"/> Time waived to +10 / 60 days U <input type="checkbox"/> Vacate date of A <input type="checkbox"/> Def must / need not appear <i>1/22</i> C <input type="checkbox"/> Trailing E Last Day S</p>
<p>M <input type="checkbox"/> Defendant held to answer at PX hearing O <input type="checkbox"/> People / Def Motion to / for / cont T <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken I <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted O <input type="checkbox"/> Info / Indictment/Complaint amended on its face to R add Ct # a violation of section D Fel / Misd E <input type="checkbox"/> Pursuant to 23103.5 CVC <input type="checkbox"/> Substitute misdemeanor for felony where it appears <input type="checkbox"/> in Ct # <input type="checkbox"/> Per Court / DA dismiss Ct # <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes <input type="checkbox"/> Reasons: <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Def. <input type="checkbox"/> Victim <input type="checkbox"/> DA <input type="checkbox"/> Stay away from</p>	<p>P <input type="checkbox"/> Court / Formal Prob. yrs. mos. R <input type="checkbox"/> No Probation O <input type="checkbox"/> Adult Pre-Trial / Post Plea / Diversion B <input type="checkbox"/> Prob. / Div. / Parole / PRCS Reinst'd / Ext./ Modif. A to T <input type="checkbox"/> Def given / waived rights to Revoc Hg: admits / I denies allegation O <input type="checkbox"/> Violation of Prob. / Div. / Parole / PRCS N <input type="checkbox"/> Prob. / Div. / Parole / PRCS revoked D <input type="checkbox"/> In re law notice given I <input type="checkbox"/> Prob. / Div / PRCS: Terminated: V Successfully / Unsuccessfully / Denied I <input type="checkbox"/> Crim. proceedings susp. / reinstated / dism. P <input type="checkbox"/> Standard terms & cond. of Probation given A <input type="checkbox"/> PC 296 sample ordered / verified R <input type="checkbox"/> Parole violation(s) sustained / not sustained O L E</p>	<p>P <input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp C <input type="checkbox"/> Court appoints Dr. I Purs. PC288.1 / PC1368 3 <input type="checkbox"/> Counsel submit on Dr / CONREP Report 6 dated marked as EXH 8 <input type="checkbox"/> Court finds def competent / incompetent to 1 stand trial 3 <input type="checkbox"/> Court refers def to CONREP / Adult MH 7 <input type="checkbox"/> Def committed to 0 Max term of commitment <input type="checkbox"/> Local custody credits <input type="checkbox"/> Meds voluntary / involuntary / no consent <input type="checkbox"/> Criminal proceedings reinstated</p>
<p>F <input type="checkbox"/> RFS [PC1202.4] <input type="checkbox"/> Fine \$ I <input type="checkbox"/> Prob. Viol. Fine \$ <input type="checkbox"/> PVRP/PRCS \$ N [PC1202.44] suspended / imposed [PC1202.44] E <input type="checkbox"/> Victim restitution \$ <input type="checkbox"/> Victim restitution TBD / Not ordered S <input type="checkbox"/> VCB \$ <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ <input type="checkbox"/> COA \$ CCA \$ <input type="checkbox"/> Lab \$ Drug Ed \$ <input type="checkbox"/> Atty Fees \$ <input type="checkbox"/> Prob. Report Fee \$ <input type="checkbox"/> Pay bal. of fine/ <input type="checkbox"/> In lieu of fine/ <input type="checkbox"/> Susp. after fine <input type="checkbox"/> hours Volunteer work by Fee \$ <input type="checkbox"/> Balance of fines / fees / rest. to remain as ordered <input type="checkbox"/> Make payments to AllianceOne. <input type="checkbox"/> Other</p>	<p>C <input type="checkbox"/> County jail days / mos / yrs O <input type="checkbox"/> days / mos / yrs credit M <input type="checkbox"/> days / mos / yrs suspended I <input type="checkbox"/> Sentence to commence T <input type="checkbox"/> Serve consecutive / concurrent with: M E N T <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD S <input type="checkbox"/> Release from custody to program R <input type="checkbox"/> Day-for-day credit for successful completion of E approved day / mo / yr G residential treatment program I <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO S <input type="checkbox"/> Sent. recall purs. to 1170.18 / Prop 47 dept resent. <input type="checkbox"/> See attached additional orders</p>	<p>State Prison yrs mos County Jail yrs mos days Mand. Sup. yrs mos days CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) ENH yrs mos ENH yrs mos ACTUAL CTS CONDUCT CTS <input type="checkbox"/> 1/2 time credits <input type="checkbox"/> Parole / PRCS advisement given <input type="checkbox"/> Paper commitment</p>
<p><input checked="" type="checkbox"/> REMANDED <input type="checkbox"/> Court Courtesy <input type="checkbox"/> Ordered released <input type="checkbox"/> On OR <input type="checkbox"/> Promise to Appear <input type="checkbox"/> Cont'd on bond/cash bail posted <input type="checkbox"/> Phone calls Bail set in the amount of \$ <i>1,250,000</i> <input type="checkbox"/> State Prison Commitment <input type="checkbox"/> Committed to custody until sentence is satisfied in full TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof. DATED: 1/15/2019 MARY A O'MALLEY JUDGE OF THE SUPERIOR COURT</p>		

See back of form for additional information

WHITE - Court

GREEN - Jail (if in custody)

CANARY - Defendant

PINK - Probation

GOLDENROD - CCU

CR-3013 (Rev. 9/8/17)

TESLA-0001068

From CUC DISTRICT ATTORNEY

925 546 4174

01/11/2019 12:46

#837 P.004/011

PITT FRC
JUDGE MARY A O'MALLEY01/11/2019 8:20
DEPARTMENT 004

PAGE 3

J CRENSHAW, ARTIS MALCOM 194996-5 F CUST FRC PD-ASKELAN 8:20
 CHARGES: PC 29800(a)(1)
 PC 25850(a)
 HS 11370.1(a)
 PC 148(a)(1)

vacate

PX 01/16/19

DAIGLE, NICHOLAS CONRAD 192988-4 F CUST FRC BROOKS 8:20
 CHARGES: PC 289(d)
 PC 243.4(e)(1)
 PC 314(1)
 PC 243.4(e)(1)
 PC 647(a)

DDA: KOLKJ
UNIT: SAU

PX 01/16/19

VACATE

DELVALLE, AMANDA LYNN-KARLEE 194037-8 F OR FRC PD-FIERRO 8:20
 CHARGES: VC 10851(a)
 PC 496D(a)

confirm

PX 01/16/19

DIALS, SEAN MIGUEL 195364-5 F CUST FRC NO ADO-YOUNG 8:20
 CHARGES: PC 29800(a)(1)
 PC 29825(a)
 PC 30305(a)(1)
 PC 417(b)
 PC 422(a)

vacate

PX 01/16/19

ESTRADA, JOSE MANUEL-NUNEZ 192539-5 F OR FRC PD-OSBORNE 8:20
 CHARGES: VC 23153(a)
 VC 23153(b)
 VC 12500(a)

SPANISH

PX 01/15/19

Della-Piana

DIAZ, Demetrix 4-195330-6
 PC 209(b)(1)

Px 1/15 AM

DDA: OCONS
UNIT: VVC

confirm

Bryant, Clezzen

4-195330-6

PC 209(b)(1)

Px 1/15 AM

DDA: OCONS
UNIT: VVC

Kulink

confirm

TESLA-0001069

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
 SUPERIOR COURT OF CALIFORNIA PITTSBURG

DOCKET NO.
 04-195330-6 01

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

PA RATE-H

DEFENDANT: DIAZ, DEMETRIC DEPT. 004 DATE 1/09/2019 TIME 8:45 AM
 ADDRESS 2821 MAYFLOWER DR ANTIOCH CA 94509 DOB: 06/19/1995
 ROC: PX FEL PROB DEFENSE ATTORNEY PD-DELLA-P TIME NOT WAIVED
 CUSTODIAL STATUS: CUST TARGET: 2/08/19
 CHARGES: 01 F PC 209(b)(1) 02 F PC 211 03 F PC 245(a)(2)
 4 F PC 245(a)(2) 05 F PC 245(a)(2) W/E

MINUTES CERTIFIED CORRECT

JUDGE MARY A O'MALLEY

COURT REPORTER M. HAYNES

CLERK D. MURGUIA

ASSIGN

COURT

TO DEPT.

JUDGE

REPORTER

CLERK

<p>A <input type="checkbox"/> Def proceeds PRO PER <input type="checkbox"/> Appearance waived <input checked="" type="checkbox"/> Def appears <input type="checkbox"/> In Custody <input type="checkbox"/> Def not appearing <input checked="" type="checkbox"/> With / by Atty / Pub Def / ADO <u>Askeland</u> <input checked="" type="checkbox"/> Deputy District Atty <u>Krosser O'Connor</u> <input type="checkbox"/> Court Probation Officer <input type="checkbox"/> Interp. <input type="checkbox"/> cert. <input type="checkbox"/> non-cert. sworn / oath on file / qualified per Rule 2.893 <input type="checkbox"/> Order <input type="checkbox"/> Interp. <input type="checkbox"/> Coord. Notified <input type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified <input type="checkbox"/> PD / ADO / PVT <input type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd <input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p>	<p>A Handed copy of: <input type="checkbox"/> Petition to Revoke <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / GJ transcript <input type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study <input type="checkbox"/> Formal arraignment waived / Reading of Compl. <input type="checkbox"/> Duly arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol. <input type="checkbox"/> Answers true name as charged <input type="checkbox"/> Deny enhancements <input type="checkbox"/> Plea of not guilty entered <input type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed</p>	<p>W <input type="checkbox"/> Bench Warrant to issue <input type="checkbox"/> Bail set at \$ <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app <input type="checkbox"/> Hold until <input type="checkbox"/> Bail forfeited & continued 190 days <input type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out <input type="checkbox"/> Bail exonerated <input type="checkbox"/> Bail forfeiture set aside & reinstated upon payment of fee \$</p>
<p>P <input type="checkbox"/> Written plea filed <input type="checkbox"/> Pleads Guilty, Ct. # <input type="checkbox"/> Pleads no contest, Found Guilty Ct # <input type="checkbox"/> Pleads Not guilty / Found Not guilty by reason of insanity <input type="checkbox"/> Admits / denies: priors / enhancements / strikes <input type="checkbox"/> Rights given / waived <input type="checkbox"/> App. Rights given / waived <input type="checkbox"/> Per PC1192.5 <input type="checkbox"/> Time for Misd Trial / Sent waived / not waived <input checked="" type="checkbox"/> Time for Fel (PX) Trial 10 / 60 days waived / not waived <input type="checkbox"/> Time for PV - 15 / 45 days waived / not waived <input type="checkbox"/> Other</p>	<p>O <input type="checkbox"/> Obey all laws <input type="checkbox"/> Use true name / DOB <input type="checkbox"/> Do Not use any alcohol / drugs w/o Rx <input type="checkbox"/> Attend AA / NA meetings per week and present proof at each court appearance <input type="checkbox"/> Submit to search/testing for <input type="checkbox"/> Re-ref / Reinstate L1 / L2 / PCDDP <input type="checkbox"/> Not drive unless properly licensed and insured. <input type="checkbox"/> Destroy / Return Weapon <input type="checkbox"/> SCRAM / GPS <input type="checkbox"/> Ordered <input type="checkbox"/> Removed</p>	<p>C TRIAL: 1/11 8:20 RO/ERC: 1/15 8:45 AM PX: 1/15 8:45 AM PTC/SET: <input type="checkbox"/> FUTURE DATES CONFIRMED <input type="checkbox"/> Time waived to +10 / 60 days <input type="checkbox"/> Vacate date of <input checked="" type="checkbox"/> Def must need not appear 1/15 <input type="checkbox"/> Trailing Last Day</p>
<p>M <input type="checkbox"/> Defendant held to answer at PX hearing <input type="checkbox"/> People / Def Motion to / for / cont <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted <input type="checkbox"/> Info / Indictment/Complaint amended on its face to add Ct # a violation of section Fel / Misd <input type="checkbox"/> Pursuant to 23103.5 CVC <input type="checkbox"/> Substitute misdemeanor for felony where it appears in Ct # <input type="checkbox"/> Per Court / DA dismiss Ct # <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes Reasons: <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Deft. <input type="checkbox"/> Victim <input type="checkbox"/> DA <input type="checkbox"/> Stay away from</p>	<p>P <input type="checkbox"/> Court / Formal Prob. yrs. mos. <input type="checkbox"/> No Probation <input type="checkbox"/> Adult Pre-Trial / Post Plea / Diversion <input type="checkbox"/> Prob. / Div. / Parole / PRCS Reinst'd / Ext. / Modif. to <input type="checkbox"/> Def given / waived rights to Revoc Hg: admits / denies allegation <input type="checkbox"/> Violation of Prob. / Div. / Parole / PRCS <input type="checkbox"/> Prob. / Div. / Parole / PRCS revoked <input type="checkbox"/> In re law notice given <input type="checkbox"/> Prob. / Div. / PRCS: Terminated: Successfully / Unsuccessfully / Denied <input type="checkbox"/> Crim. proceedings susp. / reinstated / dism. <input type="checkbox"/> Standard terms & cond. of Probation given <input type="checkbox"/> PC 296 sample ordered / verified <input type="checkbox"/> Parole violation(s) sustained / not sustained</p>	<p>P <input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp <input type="checkbox"/> Court appoints Dr. Purs. PC288.1 / PC1368 <input type="checkbox"/> Counsel submit on Dr / CONREP Report dated marked as EXH <input type="checkbox"/> Court finds def competent / incompetent to stand trial <input type="checkbox"/> Court refers def to CONREP / Adult MH <input type="checkbox"/> Def committed to Max term of commitment Local custody credits <input type="checkbox"/> Meds voluntary / involuntary / no consent <input type="checkbox"/> Criminal proceedings reinstated</p>
<p>F <input type="checkbox"/> RF\$ [PC1202.4] <input type="checkbox"/> Fine \$ <input type="checkbox"/> Prob. Viol. Fine \$ <input type="checkbox"/> PVR/PRCS \$ [PC1202.4] suspended / imposed [PC1202.44] <input type="checkbox"/> Victim restitution \$ <input type="checkbox"/> Victim restitution TBD / Not ordered <input type="checkbox"/> VCB \$ <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ COA \$ CCA \$ Lab \$ Drug Ed \$ Atty Fees \$ <input type="checkbox"/> Prob. Report Fee \$ <input type="checkbox"/> Pay bal. of fine/ <input type="checkbox"/> In lieu of fine/ <input type="checkbox"/> Susp. after fine <input type="checkbox"/> hours Volunteer work by Fee \$ <input type="checkbox"/> Balance of fines / fees / rest. to remain as ordered <input type="checkbox"/> Make payments to AllianceOne. <input type="checkbox"/> Other</p>	<p>C <input type="checkbox"/> County jail days / mos / yrs <input type="checkbox"/> days / mos / yrs credit <input type="checkbox"/> days / mos / yrs suspended <input type="checkbox"/> Sentence to commence <input type="checkbox"/> Serve consecutive / concurrent with: <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD <input type="checkbox"/> Release from custody to program <input type="checkbox"/> Day-for-day credit for successful completion of approved day / mo / yr residential treatment program <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO <input type="checkbox"/> Sent. recall purs. to 1170.18 / Prop 47 dept resent. <input type="checkbox"/> See attached additional orders</p>	<p>State Prison yrs mos County Jail yrs mos days Mand. Sup. yrs mos days CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) ENH yrs mos ENH yrs mos ACTUAL CTS CONDUCT CTS <input type="checkbox"/> 1/2 time credits <input type="checkbox"/> Parole / PRCS advisement given <input type="checkbox"/> Paper commitment</p>
<p><input type="checkbox"/> REMANDED <input type="checkbox"/> Court Courtesy <input type="checkbox"/> Ordered released <input type="checkbox"/> On OR <input type="checkbox"/> Promise to Appear <input type="checkbox"/> Cont'd on bond/cash bail posted <input type="checkbox"/> Phone calls Bail set in the amount of \$ 1,250,000 <input type="checkbox"/> State Prison Commitment <input type="checkbox"/> Committed to custody until sentence is satisfied in full TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof. DATED: 1/09/2019 MARY A O'MALLEY JUDGE OF THE SUPERIOR COURT</p>		

See back of form for additional information

WHITE - Court

GREEN - Jail (if in custody)

CANARY - Detention

PINK - Probation

GOLDENROD - CUI

CR-3013 (Rev. 9/8/17)

TESLA-0001070

FROM: CCC DISTRICT ATTORNEY

925 646 4174

01/04/2019 12:07

#815 P.004/008

PITT FRC
JUDGE MARY A O'MALLEY01/04/2019 8:20
DEPARTMENT 004

PAGE 3

DIAZ, DEMETRIC 195330-6 F CUST FRC NO PD-DELLA-P 8:20

CHARGES: PC 209(b) (1)
PC 211
PC 245(a) (2)
PC 245(a) (2)
PC 245(a) (2)

[VVC]

PX 01/09/19

CONFIRM

BRYANT, CLENZELL 195330-6 F CUST FRC ~~NO EISENHART~~ 8:202 CHARGES: PC 209(b) (1)
2 PC 211
2 VC 2800.2
2
2

[VVC]

ADD KULUK

PX 01/09/19

CONFIRM

DUNN, STEPHAN CHRISTOPHER 194185-5 F OR FRC ADO-YOUNG 8:20

CHARGES: VC 23153(a)
VC 23153(b)

VACATE

PX 01/08/19

FRAIRE, ROBERTO ZUNIGA 191495-1 F CUST FRC PD-DELLA-P 8:20

CHARGES: VC 23152(a) & 235
VC 23152(b) & 235
VC 14601.2(a)
VC 23247(e)

SPANISH

PX 01/09/19

CONFIRM

GARCIA, JULIO CESAR 191995-0 F CUST FRC MORRIS 8:20

CHARGES: PC 246
PC 246.3(a)
PC 29800(a) (1)
PC 496(a)

PX 01/08/19

VACATE

TESLA-0001071

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
 SUPERIOR COURT OF CALIFORNIA - PITTSBURG

DOCKET NO.
 04-195330-6 01

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

PA RATE-H

DEFENDANT: DIAZ, DEMETRIC DEPT. 034 DATE: 2/28/2018 TIME: 8:45 AM
 ADDRESS: 2821 MAYFLOWER DR ANTIOCH CA 94509 DOB: 06/19/1995
 ROC: ARR FEL PROB DEFENSE ATTORNEY TIME WAIVED
 CUSTODIAL STATUS: WARR
 CHARGES: 01 F PC 209(b)(1) 02 F PC 211 03 F PC 245(a)(2)
 F PC 245(a)(2) 05 F PC 245(a)(2) W/E

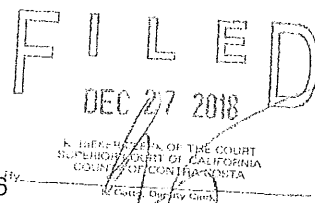
MINUTES CERTIFIED CORRECT

JUDGE LEONARD MARQUEZ COURT REPORTER D.B. THOMPSON CLERK L. BECNEL
 ASSIGN COURT REPORTER BJ Enea CSR#2599
 TO DEPT. JUDGE CLERK

<p>A <input type="checkbox"/> Def proceeds PRO PER <input type="checkbox"/> Appearance waived P <input checked="" type="checkbox"/> Def appears <input checked="" type="checkbox"/> In Custody <input type="checkbox"/> Def not appearing E <input checked="" type="checkbox"/> With / by Atty / Pub Def / ADO <i>banks</i> A <input checked="" type="checkbox"/> Deputy District Atty <i>Thompson</i> R <input type="checkbox"/> Court Probation Officer A <input type="checkbox"/> Interp. <input type="checkbox"/> cert. <input type="checkbox"/> non-cert. N <input type="checkbox"/> sworn / oath on file / qualified per Rule 2.893 C <input type="checkbox"/> Order <input type="checkbox"/> Interp. <input type="checkbox"/> Coord. Notified E <input checked="" type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified <input checked="" type="checkbox"/> PD / ADO / PVT <input checked="" type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd <input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p>	<p>A Handed copy of: <input type="checkbox"/> Petition to Revoke R <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / GJ transcript R <input checked="" type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study A <input checked="" type="checkbox"/> Formal arraignment waived / Reading of Compl. I <input type="checkbox"/> Duly arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol. G <input checked="" type="checkbox"/> Answers true name as charged N <input checked="" type="checkbox"/> Deny enhancements E <input checked="" type="checkbox"/> Plea of not guilty entered M <input checked="" type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed E <input type="checkbox"/> Bench Warrant to issue N <input type="checkbox"/> Bail set at \$ T <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app I <input type="checkbox"/> Hold until L <input checked="" type="checkbox"/> Bail forfeited & continued 190 days <input type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out <input type="checkbox"/> Bail exonerated <input type="checkbox"/> Bail forfeiture set aside & reinstated upon payment of fee \$</p>	<p>C TRIAL <i>11/4 \$20</i> O <input type="checkbox"/> PC/RC <i>11/9 845 D4</i> N <input type="checkbox"/> PX <i>11/9 845 D4</i> T <input type="checkbox"/> PC/SET I <input type="checkbox"/> FUTURE DATES CONFIRMED N <input type="checkbox"/> Time waived to +10 / 60 days U <input type="checkbox"/> Vacate date of A <input checked="" type="checkbox"/> Def must / need not appear <i>11/9</i> N <input type="checkbox"/> Training C Last Day <i>10-1/14 60=2/26</i> S</p>
<p>P <input type="checkbox"/> Written plea filed <input type="checkbox"/> Pleads Guilty, Ct. # L <input type="checkbox"/> Pleads no contest, Found Guilty Ct # E <input type="checkbox"/> Pleads Not guilty / Found Not guilty by reason of insanity A <input type="checkbox"/> Admits / denies: priors / enhancements / strikes S <input type="checkbox"/> Rights given / waived <input type="checkbox"/> App. Rights given / waived / <input type="checkbox"/> Per PC1192.5 W <input type="checkbox"/> Time for Misdo Trial / Sent waived / not waived A <input type="checkbox"/> Time for Fel PX / Trial 10 / 60 days waived / not waived I <input type="checkbox"/> Time for PV - 15 / 45 days waived / not waived V <input type="checkbox"/> Other E <input type="checkbox"/> Defendant held to answer at PX hearing R <input type="checkbox"/> People / Def Motion to / for / cont S <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted <input type="checkbox"/> Info / Indictment/Complaint amended on its face to add Ct # a violation of section Fel / Misd <input type="checkbox"/> Pursuant to 23103.5 CVC <input type="checkbox"/> Substitute misdemeanor for felony where it appears in Ct # <input type="checkbox"/> Per Court / DA dismiss Ct # <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes Reasons: <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Deft. <input type="checkbox"/> Victim <input type="checkbox"/> DA <input type="checkbox"/> Stay away from</p>	<p>P <input type="checkbox"/> Court / Formal Prob. yrs. mos. R <input type="checkbox"/> No Probation O <input type="checkbox"/> Adult Pre-Trial / Post Plea / Diversion B <input type="checkbox"/> Prob. / Div. / Parole / PRCS Reinst'd / Ext. / Modif. E <input type="checkbox"/> to T <input type="checkbox"/> Def given / waived rights to Revoc Hg: admits / denies allegation I <input type="checkbox"/> Violation of Prob. / Div. / Parole / PRCS O <input type="checkbox"/> Prob. / Div. / Parole / PRCS revoked N <input type="checkbox"/> In re law notice given D <input type="checkbox"/> Prob. / Div / PRCS: Terminated: I <input type="checkbox"/> Successfully / Unsuccessfully / Denied V <input type="checkbox"/> Crim. proceedings susp. / reinstated / dism. P <input type="checkbox"/> Standard terms & cond. of Probation given A <input type="checkbox"/> PC 296 sample ordered / verified R <input type="checkbox"/> Parole violation(s) sustained / not sustained O <input type="checkbox"/> County jail days / mos / yrs L <input type="checkbox"/> County Jail days / mos / yrs credit E <input type="checkbox"/> days / mos / yrs suspended N <input type="checkbox"/> Sentence to commence T <input type="checkbox"/> Serve consecutive / concurrent with: M <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD E <input type="checkbox"/> Release from custody to program N <input type="checkbox"/> Day-for-day credit for successful completion of approved day / mo / yr residential treatment program T <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO S <input type="checkbox"/> Sent. recall purs. to 1170.18 / Prop 47 dept resent. <input type="checkbox"/> See attached additional orders</p>	<p>P <input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp C <input type="checkbox"/> Court appoints Dr. Purs. PC288.1 / PC1368 1 <input type="checkbox"/> Counsel submit on Dr / CONREP Report 3 dated marked as EXH 6 <input type="checkbox"/> Court finds def competent / incompetent to stand trial 8 <input type="checkbox"/> Court refers def to CONREP / Adult MH / <input type="checkbox"/> Def committed to 1 Max term of commitment 3 Local custody credits 7 <input type="checkbox"/> Meds voluntary / involuntary / no consent 0 <input type="checkbox"/> Criminal proceedings reinstated State Prison yrs mos County Jail yrs mos days Mand. Sup. yrs mos days CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) ENH yrs mos ENH yrs mos ACTUAL CTS CONDUCT CTS <input type="checkbox"/> 1/2 time credits <input type="checkbox"/> Parole / PRCS advisement given <input type="checkbox"/> Paper commitment</p>
<p>F <input type="checkbox"/> RFS [PC1202.4] <input type="checkbox"/> Fine \$ I <input type="checkbox"/> Prob. Viol. Fine \$ <input type="checkbox"/> PVRP/PRCS \$ N [PC1202.44] suspended / imposed [PC1202.44] E <input type="checkbox"/> Victim restitution \$ S <input type="checkbox"/> Victim restitution TBD / Not ordered / <input type="checkbox"/> VCB \$ F <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee E <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ E <input type="checkbox"/> COA \$ <input type="checkbox"/> CCA \$ S <input type="checkbox"/> Lab \$ <input type="checkbox"/> Drug Ed \$ <input type="checkbox"/> Alty Fees \$ <input type="checkbox"/> Prob. Report Fee \$ <input type="checkbox"/> Pay bal. of fine/ <input type="checkbox"/> In lieu of fine/ <input type="checkbox"/> Susp. after fine <input type="checkbox"/> hours Volunteer work by Fee \$ <input type="checkbox"/> Balance of fines / fees / rest. to remain as ordered <input type="checkbox"/> Make payments to AllianceOne. <input type="checkbox"/> Other</p>	<p>REMAINED <input type="checkbox"/> Court Courtesy <input type="checkbox"/> Ordered released <input type="checkbox"/> On OR <input type="checkbox"/> Promise to Appear <input type="checkbox"/> Cont'd on bond/cash bail posted <input type="checkbox"/> Phone calls Bail set in the amount of \$ <i>1,250,000</i> <input type="checkbox"/> State Prison Commitment <input type="checkbox"/> Committed to custody until sentence is satisfied in full TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof. DATED: 2/28/2018 LEONARD MARQUEZ JUDGE OF THE SUPERIOR COURT</p>	

TESLA-0001072

Superior Court of California
County Of Contra Costa



THE PEOPLE OF THE STATE OF CALIFORNIA,

No.04-195330-6

vs.

DECLARATION IN SUPPORT
OF WARRANT FOR ARREST

DEMETRIC DIAZ.

The Undersigned Declares:

Affiant holds the position of Officer, with the Brentwood Police Department, who has reviewed the reports of an official police investigation into the above entitled cause. Attached hereto and incorporated herein by reference as if fully set forth are copies of the documents, referenced below, related to that investigation.

<u>Police Agency</u>	<u>Case Number</u>
Brentwood Police Department	18-6244

The above referenced documents were prepared in the ordinary course of business of the investigating agency, and pursuant to the sworn duty of the subscribing officers. Affiant is informed and believes that the above referenced defendant committed the offense[s] alleged in the accompanying complaint in the manner and by the means as set forth in said complaint and in said incorporated documents, and prays:

- (X) That A Warrant Be Issued For The Arrest Of Said Defendant
- (X) Defendant Be Held In-Custody Until Bail Is Posted

I declare under penalty of perjury that the foregoing is true and correct.

Date: December 26, 2018

Officer Barrera, Badge # 598

ORDER

DET. PEACHMAN, #478

The Court finds, based on the foregoing declaration and accompanying complaint, that there is probable cause to believe the above named defendant committed the crime[s] alleged in that complaint, and orders:

- (X) A Warrant Be Issued For The Arrest Of Said Defendant
- (X) Defendant Be Held In-Custody Until Bail Is Posted
- (X) The Defendant Is To Be Admitted To Bail In The Sum Of \$ 1,250,000 Dollars.

Date: DEC 27 2018

Judge of the Superior Court
Contra Costa County

SUPERIOR COURT COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
PITTSBURG

CLERKS DOCKET AND MINUTES

REV CODE Q4421

CASE NO: 195330 6 01

THE PEOPLE OF THE STATE OF CALIFORNIA

CO-DEFENDANTS

Vs.

DEMETRIC DIAZ
2821 MAYFLOWER DR
ANTIOCH CA 94509

2 CLENZELL BRYANT

DATE OF BIRTH: 06/19/95

D/L F4511705 CA

DATE

CHARGES

12/27/18 : COMPLAINT FILED, SWORN TO BY OFC BARRERA 36 CHARGING
 : DEFENDANT (S) WITH HAVING COMMITTED ON OR ABOUT 12/21/18
 : A FELONY TO WIT: A VIOLATION OF SECTION(S)
 : 1 PC 209(b)(1) KIDNAPPING TO COMMIT ANOTHER CRIME
 : 2 PC 211 SECOND DEGREE ROBBERY
 : 3 PC 245(a)(2) ASSAULT WITH A FIREARM
 : 4 PC 245(a)(2) ASSAULT WITH A FIREARM
 : 5 PC 245(a)(2) ASSAULT WITH A FIREARM

JUDGE :

PROCEEDINGS

: SET FOR ARR ON 12/28/18 AT 8:45

: DOCKET: COF PURPLE

_____ \$10 (SIGNED CITE)

_____ \$25 (BOOKING FEE)

_____ \$(CJA FEE)

_____ SERVE PROTECTIVE ORDER

_____ CCA FEE (\$30 / \$35 PER CONV)

_____ SECURITY FEE (\$40 PER CONV)

TESLA-0001074

Superior Court of California, County of Contra Costa

BOOKING FEE REIMBURSEMENT NOTICE

<p>To Be Completed by Arresting Agency:</p> <p>Defendant's Name: <u>Diaz, Demetric</u></p> <p>Arresting Agency: <u>Brentwood Police Department</u></p> <p>Arresting Agency's Contact Phone No.: <u>(925) 634-6911</u></p> <p>CJA Fee Incurred Under Booking No.: <u>CC18 K440</u></p> <p>Verified By: <u>508</u></p> <p>Name & Title: <u>T. Thomas - Records Clerk</u> (PLEASE PRINT)</p>	<p><input checked="" type="checkbox"/> Brentwood <u>1806240</u> <input type="checkbox"/> Oakley</p> <p><input type="checkbox"/> CHP <input type="checkbox"/> Orinda</p> <p><input type="checkbox"/> Danville <input type="checkbox"/> San Ramon</p> <p><input type="checkbox"/> East Bay Reg. Parks <input type="checkbox"/> Sheriff</p> <p><input type="checkbox"/> El Cerrito <input type="checkbox"/> Walnut Creek</p> <p><input type="checkbox"/> Lafayette</p> <p>To Be Completed by the Court:</p> <p>Court Case No.: _____</p> <p>Sentenced: _____</p> <p>Amount: _____</p>
--	---

**INFORMATION FOR DEFENDANTS REGARDING
ASSESSMENT OF A CRIMINAL JUSTICE ADMINISTRATION FEE**

Following your conviction, the Court has ordered that you reimburse the local arresting agency for fingerprinting and booking costs incurred on your behalf in the above action pursuant to Section 29550 of the Government Code.

☐ YOU HAVE NOT BEEN ORDERED TO SERVE JAIL OR OTHER CUSTODY TIME.
Contact AllianceOne at (877) 541-8420 to make a payment in full or to arrange a payment plan.

☐ YOU HAVE BEEN ORDERED TO SERVE JAIL OR OTHER CUSTODY TIME.
You must pay the amount designated above within 20 working days after release from jail/state prison/other facility. Upon your release from custody, you must contact AllianceOne at (877) 541-8420.

If you believe you have insufficient assets to pay this fee you may request a hearing where the Court will make a determination of your ability to pay all or a portion of this fee. If you wish to have a hearing, you must notify the Court or your attorney. At that hearing you will have the right to counsel, to present evidence and confront and cross examine witnesses. In addition, the court will order you to appear before a Financial Evaluation Officer who will make an inquiry regarding your ability to pay this fee and make a recommendation to the Court about your ability to pay. If you fail to contact the Financial Evaluation Officer, you waive your right to a hearing.

Contact the Court Collections Unit (CCU) regarding your ability to pay: (925) 608-2605

DISTRIBUTION: ORIGINAL – Court CANARY – Defendant PINK – Court File GOLDENROD – Arresting Agency

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

DOCKET NO.

5-190194-1

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

DEFENDANT: Clenzel Bryant DEPT. MCC DATE 11/4/19 TIME 845
 ADDRESS _____ DOB: _____
 ROC: _____ PROB _____ DEFENSE ATTORNEY _____ TIME _____ WAIVED _____
 CUSTODIAL STATUS: SBOND \$150,000 + PC 211
 CHARGES: _____

MINUTES CERTIFIED CORRECT

JUDGE Canepa COURT REPORTER Argyropoulos CLERK Jary
 ASSIGN 5 JUDGE HARDIE COURT REPORTER _____ CLERK _____
 TO DEPT. 9:00/9:16

<p>A <input type="checkbox"/> Def proceeds PRO PER <input type="checkbox"/> Appearance waived P <input checked="" type="checkbox"/> Def appears <input type="checkbox"/> In Custody <input checked="" type="checkbox"/> Def not appearing E <input checked="" type="checkbox"/> With / by Atty / Pub Def / ADO <u>Kuluk</u> A <input checked="" type="checkbox"/> Deputy District Atty <u>Det Sansoe</u> R <input type="checkbox"/> Court Probation Officer A <input type="checkbox"/> Interp. _____ <input type="checkbox"/> cert. <input type="checkbox"/> non-cert. N sworn / oath on file / qualified per Rule 2.893 C <input type="checkbox"/> Order _____ Interp. <input type="checkbox"/> Coord. Notified E <input type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified <input type="checkbox"/> PD / ADO / PVT <input type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd <input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p>	<p>A Handed copy of: <input type="checkbox"/> Petition to Revoke R <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / GJ transcript R <input type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study A <input type="checkbox"/> Formal arraignment waived / Reading of Compl. I <input type="checkbox"/> Duly arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol. G <input type="checkbox"/> Answers true name as charged N M <input type="checkbox"/> Deny enhancements E <input type="checkbox"/> Plea of not guilty entered N <input type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed</p>	<p>W <input checked="" type="checkbox"/> Bench Warrant to issue A Bail set at \$ <u>0</u> R <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app A <input type="checkbox"/> Hold until _____ N <input checked="" type="checkbox"/> Bail forfeited & continued 190 days T <input checked="" type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out I <input type="checkbox"/> Bail exonerated B <input type="checkbox"/> Bail forfeiture set aside & reinstated A upon payment of fee \$ _____ I L</p>
<p>P <input type="checkbox"/> Written plea filed <input type="checkbox"/> Pleads Guilty, Ct. # _____ L <input type="checkbox"/> Pleads no contest, Found Guilty Ct # _____ E <input type="checkbox"/> Pleads Not guilty / Found Not guilty by reason of insanity A <input type="checkbox"/> Admits / denies: priors / enhancements / strikes S <input type="checkbox"/> Rights given / waived <input type="checkbox"/> App. Rights given / waived / <input type="checkbox"/> Per PC1192.5 W <input type="checkbox"/> Time for Misd Trial / Sent waived / not waived A <input checked="" type="checkbox"/> Time for Fel PX / Trial <u>10/60</u> days waived / not waived I <input type="checkbox"/> Time for PV - 15 / 45 days waived / not waived V <input type="checkbox"/> Other _____ E R S</p>	<p>O <input type="checkbox"/> Obey all laws <input type="checkbox"/> Use true name / DOB R <input type="checkbox"/> Do Not use any alcohol / drugs w/o Rx C <input type="checkbox"/> Attend AA / NA meetings per week and O present proof at each court appearance N <input type="checkbox"/> Submit to search/testing for _____ D <input type="checkbox"/> Re-ref / Reinstate L1 / L2 / PCDDP S <input type="checkbox"/> Not drive unless properly licensed and insured. <input type="checkbox"/> Destroy / Return Weapon <input type="checkbox"/> SCRAM / GPS <input type="checkbox"/> Ordered <input type="checkbox"/> Removed</p>	<p>C TRIAL: <u>1/6/20 @ 8:45am MCC</u> O RC/FRC: <u>12/24/19 2:30 2-6</u> N PX: _____ T PTC/SET: _____ I <input type="checkbox"/> FUTURE DATES CONFIRMED N <input checked="" type="checkbox"/> Time waived to <u>1/6</u> <u>10/60</u> days A <input type="checkbox"/> Vacate date of _____ N <input checked="" type="checkbox"/> Def(must) need not appear <u>1/6/20</u> C <input type="checkbox"/> Trailing E Last Day _____ S</p>

<p>M <input type="checkbox"/> Defendant held to answer at PX hearing O <input type="checkbox"/> People / Def Motion to / for / cont _____ T <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken I <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted O <input type="checkbox"/> Info / Indictment/Complaint amended on its face to N add Ct # _____ a violation of section _____ Fel / Misd / O <input type="checkbox"/> Pursuant to 23103.5 CVC R <input type="checkbox"/> Substitute misdemeanor for felony where it appears D in Ct # _____ E <input type="checkbox"/> Per Court / DA dismiss Ct # _____ S <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes Reasons: _____ <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Deft. <input type="checkbox"/> Victim <input type="checkbox"/> DA <input type="checkbox"/> Stay away from _____</p>	<p>P <input type="checkbox"/> Court / Formal Prob. _____ yrs. _____ mos. R <input type="checkbox"/> No Probation O <input type="checkbox"/> Adult Pre-Trial / Post Plea / Diversion B <input type="checkbox"/> Prob. / Div. / Parole / PRCS Reinst'd / Ext. / Modif. A to _____ T <input type="checkbox"/> Def given / waived rights to Revoc Hg: admits / I denies allegation O <input type="checkbox"/> Violation of Prob. / Div. / Parole / PRCS N <input type="checkbox"/> Prob. / Div. / Parole / PRCS revoked D <input type="checkbox"/> In re law notice given I <input type="checkbox"/> Prob. / Div. / PRCS: Terminated: V Successfully / Unsuccessfully / Denied P <input type="checkbox"/> Crim. proceedings susp. / reinstated / dsm. A <input type="checkbox"/> Standard terms & cond. of Probation given R <input type="checkbox"/> PC 296 sample ordered / verified O <input type="checkbox"/> Parole violation(s) sustained / not sustained L E</p>	<p>P <input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp C <input type="checkbox"/> Court appoints Dr. _____ 1 Purs. PC288.1 / PC1368 3 <input type="checkbox"/> Counsel submit on Dr / CONREP Report 6 dated _____ marked as EXH _____ 8 <input type="checkbox"/> Court finds def competent / incompetent to / stand trial 1 <input type="checkbox"/> Court refers def to CONREP / Adult MI I 3 <input type="checkbox"/> Def committed to _____ 7 Max term of commitment _____ 0 Local custody credits _____ <input type="checkbox"/> Meds voluntary / involuntary / no consent <input type="checkbox"/> Criminal proceedings reinstated</p>
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<p>F <input type="checkbox"/> RF\$ _____ [PC1202.4] <input type="checkbox"/> Fine \$ _____ I <input type="checkbox"/> Prob. Viol. Fine \$ _____ <input type="checkbox"/> PVRF/PRCS \$ _____ N [PC1202.44] suspended / imposed [PC1202.44] E <input type="checkbox"/> Victim restitution \$ _____ S <input type="checkbox"/> Victim restitution TBD / Not ordered <input type="checkbox"/> VCB \$ _____ <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ _____ <input type="checkbox"/> COA \$ _____ CCA \$ _____ <input type="checkbox"/> Lab \$ _____ <input type="checkbox"/> Atty Fees \$ _____ <input type="checkbox"/> Prob. Report Fee \$ _____ <input type="checkbox"/> Pay bal. of fine / <input type="checkbox"/> In lieu of fine / <input type="checkbox"/> Susp. after fine <input type="checkbox"/> hours Volunteer work by _____ Fee \$ _____ <input type="checkbox"/> Balance of fines / fees / rest. to remain as ordered <input type="checkbox"/> Make payments to Linebarger. <input type="checkbox"/> Other _____</p>	<p>C <input type="checkbox"/> County jail _____ days / mos / yrs O <input type="checkbox"/> _____ days / mos / yrs credit M <input type="checkbox"/> _____ days / mos / yrs suspended I <input type="checkbox"/> Sentence to commence _____ T <input type="checkbox"/> Serve consecutive / concurrent with: _____ M E <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD N <input type="checkbox"/> Release from custody to program T <input type="checkbox"/> Day-for-day credit for successful completion of S approved _____ day / mo / yr <input type="checkbox"/> residential treatment program <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO <input type="checkbox"/> Sent. recall purs. to 1170.16 / Prop 47 dept resent. <input type="checkbox"/> See attached additional orders</p>	<p>State Prison _____ yrs _____ mos County Jail _____ yrs _____ mos _____ days Mand. Sup. _____ yrs _____ mos _____ days CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) ENH _____ yrs _____ mos ENH _____ yrs _____ mos ACTUAL CTS _____ CONDUCT CTS _____ <input type="checkbox"/> 1/2 time credits <input type="checkbox"/> Parole / PRCS advisement given <input type="checkbox"/> Paper commitment</p>
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WAIVED ☐ Court Courtesy ☐ Ordered released ☐ On OR ☐ Promise to Appear ☒ Cont'd on bond/cash bail posted ☐ Phone calls
 in the amount of \$ _____ ☐ State Prison Commitment ☐ Committed to custody until sentence is satisfied in full

SHERIFF COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof.

11/4/19

JUDGE OF THE SUPERIOR COURT

for additional information

WHITE - Court

GREEN - Jail (if in custody)

CANARY - Defendant

PINK - Probation

GOLDENROD - CCU

CR 2017 Rev. 10/12/181

TESLA-0001076

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

DOCKET NO.

5-190194-1

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

DEFENDANT: Bryant, Clenzell DEPT. MCC DATE 10/31/19 TIME 1:30
 ADDRESS _____ DOB: _____
 ROC: _____ PROB _____ DEFENSE ATTORNEY _____ TIME _____ WAIVED _____
 CUSTODIAL STATUS: SECOND
 CHARGES: + PC 211 JT: 11/4 PC: 10/23

MINUTES CERTIFIED CORRECT

JUDGE T. Canepa COURT REPORTER M. Argyropoulos CLERK A. Tang
 ASSIGN _____ COURT _____
 TO DEPT. _____ JUDGE _____ REPORTER _____ CLERK _____

<p>A <input type="checkbox"/> Def proceeds PRO PER <input checked="" type="checkbox"/> Appearance waived P <input type="checkbox"/> Def appears <input type="checkbox"/> In Custody <input checked="" type="checkbox"/> Def not appearing E <input checked="" type="checkbox"/> With / by Atty / Pub Def / ADO <u>Kulak</u> A <input checked="" type="checkbox"/> Deputy District Atty <u>San Jose</u> R <input type="checkbox"/> Court Probation Officer _____ A <input type="checkbox"/> Interp. _____ <input type="checkbox"/> cert. <input type="checkbox"/> non-cert. N sworn / oath on file / qualified per Rule 2.893 C <input type="checkbox"/> Order _____ Interp. <input type="checkbox"/> Coord. Notified E <input type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified <input type="checkbox"/> PD / ADO / PVT <input type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd <input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p>	<p>A Handed copy of. <input type="checkbox"/> Petition to Revoke R <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / GJ transcript A <input type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study I <input type="checkbox"/> Formal arraignment waived / Reading of Compl. G <input type="checkbox"/> Duty arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol. N <input type="checkbox"/> Answers true name as charged M <input type="checkbox"/> Deny enhancements E <input type="checkbox"/> Plea of not guilty entered T <input type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed</p>	<p>W <input type="checkbox"/> Bench Warrant to issue A Bail set at \$ _____ R <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app A <input type="checkbox"/> Hold until _____ N <input type="checkbox"/> Bail forfeited & continued 190 days T <input type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out B <input type="checkbox"/> Bail exonerated A <input type="checkbox"/> Bail forfeiture set aside & reinstated I upon payment of fee \$ _____ L</p>
<p>P <input type="checkbox"/> Written plea filed <input type="checkbox"/> Pleads Guilty, Ct. # _____ L <input type="checkbox"/> Pleads no contest, Found Guilty Ct # _____ E <input type="checkbox"/> Pleads Not guilty / Found Not guilty by reason of insanity A <input type="checkbox"/> Admits / denies: priors / enhancements / strikes S <input type="checkbox"/> Rights given / waived <input type="checkbox"/> App. Rights given / waived W <input type="checkbox"/> Per PC1192.5 A <input type="checkbox"/> Time for Misdo Trial / Sent waived / not waived I <input type="checkbox"/> Time for Fel PX / Trial 10 / 60 days waived / not waived V <input type="checkbox"/> Time for PV - 15 / 45 days waived / not waived E <input type="checkbox"/> Other _____ R S</p>	<p>O <input type="checkbox"/> Obey all laws <input type="checkbox"/> Use true name / DOB R <input type="checkbox"/> Do Not use any alcohol / drugs w/o Rx C <input type="checkbox"/> Attend AA / NA meetings per week and O present proof at each court appearance N <input type="checkbox"/> Submit to search/testing for _____ D <input type="checkbox"/> Re-ref / Reinstate L1 / L2 / PCDDP S <input type="checkbox"/> Not drive unless properly licensed and insured. <input type="checkbox"/> Destroy / Return Weapon <input type="checkbox"/> SCRAM / GPS <input type="checkbox"/> Ordered <input type="checkbox"/> Removed</p>	<p>C TRIAL: <u>11/10 845 MCC</u> O RC/FRC: <u>12/24 830 DG</u> N PX: _____ T PTC/SET: _____ I <input checked="" type="checkbox"/> FUTURE DATES CONFIRMED U <input type="checkbox"/> Time waived to +10 / 60 days A <input type="checkbox"/> Vacate date of _____ N <input checked="" type="checkbox"/> Def must need not appear C <input type="checkbox"/> Failing E Last Day _____ S</p>
<p>M <input type="checkbox"/> Defendant held to answer at PX hearing O <input type="checkbox"/> People / Def Motion to / for (cont) <u>JT</u> T <input checked="" type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken I <input checked="" type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted O <input type="checkbox"/> Info / Indictment/Complaint amended on its face to N add Ct # _____ a violation of section S _____ Fel / Misd I <input type="checkbox"/> Pursuant to 23103.5 CVC O <input type="checkbox"/> Substitute misdemeanor for felony where it appears R in Ct # _____ D <input type="checkbox"/> Per Court / DA dismiss Ct # _____ E <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes R Reasons: _____ S <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Deft. <input type="checkbox"/> Victim <input type="checkbox"/> DA <input type="checkbox"/> Stay away from _____</p>	<p>P <input type="checkbox"/> Court / Formal Prob. _____ yrs. _____ mos. R <input type="checkbox"/> No Probation O <input type="checkbox"/> Adult Pre-Trial / Post Plea / Diversion B <input type="checkbox"/> Prob. / Div. / Parole / PRCS Reinst'd / Ext./ Modif. A to _____ T <input type="checkbox"/> Def given / waived rights to Revoc Hg: admits / I denies allegation O <input type="checkbox"/> Violation of Prob. / Div. / Parole / PRCS N <input type="checkbox"/> Prob. / Div. / Parole / PRCS revoked D <input type="checkbox"/> In re law notice given I <input type="checkbox"/> Prob. / Div. / PRCS: Terminated: V Successfully / Unsuccessfully / Denied I <input type="checkbox"/> Crim. proceedings susp. / reinstated / dism. P <input type="checkbox"/> Standard terms & cond. of Probation given A <input type="checkbox"/> PC 296 sample ordered / verified R <input type="checkbox"/> Parole violation(s) sustained / not sustained O L E</p>	<p>P <input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp C <input type="checkbox"/> Court appoints Dr. _____ 1 Purs. PC288.1 / PC1368 3 <input type="checkbox"/> Counsel submit on Dr / CONREP Report 6 dated _____ marked as EXH 8 <input type="checkbox"/> Court finds def competent / incompetent to 1 stand trial 3 <input type="checkbox"/> Court refers def to CONREP / Adult MH 7 <input type="checkbox"/> Def committed to _____ 0 Max term of commitment _____ Local custody credits _____ <input type="checkbox"/> Meds voluntary / involuntary / no consent <input type="checkbox"/> Criminal proceedings reinstated</p>
<p>F <input type="checkbox"/> RF\$ _____ [PC1202.4] <input type="checkbox"/> Fine \$ _____ I <input type="checkbox"/> Prob. Viol. Fine \$ _____ <input type="checkbox"/> PVRP/PRCS \$ _____ N [PC1202.44] suspended / imposed [PC1202.44] E <input type="checkbox"/> Victim restitution \$ _____ S <input type="checkbox"/> Victim restitution TBD / Not ordered I <input type="checkbox"/> VCB \$ _____ F <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee E <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ _____ E COA \$ _____ CCA \$ _____ S Lab \$ _____ Atty Fees \$ _____ Prob. Report Fee \$ _____ <input type="checkbox"/> Pay bal. of fine/ <input type="checkbox"/> In lieu of fine/ <input type="checkbox"/> Susp. after fine <input type="checkbox"/> _____ hours Volunteer work by _____ Fee \$ _____ <input type="checkbox"/> Balance of fines / fees / rest. to remain as ordered <input type="checkbox"/> Make payments to Linebarger. <input type="checkbox"/> Other _____</p>	<p>C <input type="checkbox"/> County jail _____ days / mos / yrs O <input type="checkbox"/> _____ days / mos / yrs credit M <input type="checkbox"/> _____ days / mos / yrs suspended I <input type="checkbox"/> Sentence to commence _____ T <input type="checkbox"/> Serve consecutive / concurrent with: _____ M <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD E <input type="checkbox"/> Release from custody to program N <input type="checkbox"/> Day-for-day credit for successful completion of T approved _____ day / mo / yr S residential treatment program <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO <input type="checkbox"/> Sent. recall purs. to 1170.18 / Prop 47 dept resent. <input type="checkbox"/> See attached additional orders</p>	<p>State Prison _____ yrs _____ mos County Jail _____ yrs _____ mos _____ days Mand. Sup. _____ yrs _____ mos _____ days CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) ENH _____ yrs _____ mos ENH _____ yrs _____ mos ACTUAL CTS _____ CONDUCT CTS _____ <input type="checkbox"/> 1/2 time credits <input type="checkbox"/> Parole / PRCS advisement given <input type="checkbox"/> Paper commitment</p>
<p><input type="checkbox"/> REMANDED <input type="checkbox"/> Court Courtesy <input type="checkbox"/> Ordered released <input type="checkbox"/> On OR <input type="checkbox"/> Promise to Appear <input checked="" type="checkbox"/> Cont'd on bond/cash bail posted <input type="checkbox"/> Phone calls Bail set in the amount of \$ _____ <input type="checkbox"/> State Prison Commitment <input type="checkbox"/> Committed to custody until sentence is satisfied in full TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof. DATED: <u>10/31/19</u> <u>Canepa</u> JUDGE OF THE SUPERIOR COURT</p>		

See back of form for additional information.

WHITE - Court GREEN - Jail (if in custody) CANARY - Defendant PINK - Probation GOLDENROD - CCU

CR-3013 (Rev. 10/12/18)

TESLA-0001077

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

DOCKET NO.

SUPERIOR COURT OF CALIFORNIA, MARTINEZ

05-190194-1 02

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

DEFENDANT: BRYANT, GLENZELL DEPT. HCC DATE 7/22/2017 PA RATE 14
 ADDRESS 19 ATLANTIC CIR #203 PITTSBURG CA 94565 DOB: 03/31/1974
 ROC: TRIAL FEL PROB KULSK DEFENSE ATTORNEY KULSK TIME HGT WAIVED
 CUSTODIAL STATUS: SBOND \$150,000
 CHARGES: 01 F PC 211 02 F PC 211 03 F PC 211
07 F VC 2800.2 W/E

MINUTES CERTIFIED CORRECT

JUDGE THERESA CANERA COURT REPORTER MARY ARGYROPOULOS CLERK A JANG
 ASSIGN TO DEPT. JUDGE COURT REPORTER CSRF 9775 CLERK

<p>A <input type="checkbox"/> Def proceeds PRO PER <input type="checkbox"/> Appearance waived P <input checked="" type="checkbox"/> Def appears <input type="checkbox"/> In Custody <input type="checkbox"/> Def not appearing P <input checked="" type="checkbox"/> With / by Atty / Pub Def <u>(ADO) KULSK</u> E <input type="checkbox"/> Deputy District Atty <u>O'CONNELL</u> A <input type="checkbox"/> Court Probation Officer R <input type="checkbox"/> Interp. <input type="checkbox"/> cert. <input type="checkbox"/> non-cert. A <input type="checkbox"/> sworn / oath on file / qualified per Rule 2.893 N <input type="checkbox"/> Order <input type="checkbox"/> Interp. <input type="checkbox"/> Coord. Notified E <input type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified <input type="checkbox"/> PD / ADO / PVT <input type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd <input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p>	<p>A Handed copy of: <input type="checkbox"/> Petition to Revoke R <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / GJ transcript R <input type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study A <input type="checkbox"/> Formal arraignment waived / Reading of Compl. I <input type="checkbox"/> Duly arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol. G <input type="checkbox"/> Answers true name as charged N <input type="checkbox"/> Deny enhancements M <input type="checkbox"/> Plea of not guilty entered E <input type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed N <input type="checkbox"/> Obey all laws <input type="checkbox"/> Use true name / DOB T <input type="checkbox"/> Do Not use any alcohol / drugs w/o Rx O <input type="checkbox"/> Attend AA / NA meetings per week and R <input type="checkbox"/> present proof at each court appearance C <input type="checkbox"/> Submit to search/testing for O <input type="checkbox"/> Re-ref / Reinstate L1 / L2 / PCDDP N <input type="checkbox"/> Not drive unless properly licensed and insured. D <input type="checkbox"/> Destroy / Return Weapon S <input type="checkbox"/> SCRAM / GPS <input type="checkbox"/> Ordered <input type="checkbox"/> Removed</p>	<p>W <input type="checkbox"/> Bench Warrant to issue A <input type="checkbox"/> Bail set at \$ R <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app R <input type="checkbox"/> Hold until A <input type="checkbox"/> Bail forfeited & continued 190 days N <input type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out T <input type="checkbox"/> Bail exonerated I <input type="checkbox"/> Bail forfeiture set aside & reinstated B upon payment of fee \$ A <input type="checkbox"/> FUTURE DATES CONFIRMED L <input checked="" type="checkbox"/> Time waived to <u>11/4</u> (+10) 60 days <input type="checkbox"/> Vacate date of <input checked="" type="checkbox"/> Def must / need not appear <input type="checkbox"/> Trailing Last Day <u>11/14</u></p>
<p>P <input type="checkbox"/> Written plea filed <input type="checkbox"/> Pleads Guilty, Ct. # L <input type="checkbox"/> Pleads no contest, Found Guilty Ct # E <input type="checkbox"/> Pleads Not guilty / Found Not guilty by reason of insanity A <input type="checkbox"/> Admits / denies: priors / enhancements / strikes S <input type="checkbox"/> Rights given / waived <input type="checkbox"/> App. Rights given / waived / <input type="checkbox"/> Per PC1192.5 W <input type="checkbox"/> Time for Misdo Trial / Sent waived / not waived A <input type="checkbox"/> Time for Fel PX / Trial 10 / 60 days waived / not waived I <input type="checkbox"/> Time for PV - 15 / 45 days waived / not waived V <input type="checkbox"/> Other E <input type="checkbox"/> Defendant held to answer at PX hearing R <input type="checkbox"/> People / Def Motion to / for / cont O <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken T <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted I <input type="checkbox"/> Info / Indictment/Complaint amended on its face to O add Ct # _____ a violation of section N _____ Fel / Misd S <input type="checkbox"/> Pursuant to 23103.5 CVC <input type="checkbox"/> Substitute misdemeanor for felony where it appears / in Ct # _____ O <input type="checkbox"/> Per Court / DA dismiss Ct # _____ R <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes D Reasons: <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Deft. <input type="checkbox"/> Victim <input type="checkbox"/> DA <input type="checkbox"/> Stay away from _____ <input type="checkbox"/> RF\$ _____ [PC1202.4] <input type="checkbox"/> Fine \$ _____ <input type="checkbox"/> Prob. Viol. Fine \$ _____ PVRP/PRCS \$ _____ <input type="checkbox"/> [PC1202.44] suspended / imposed [PC1202.44] <input type="checkbox"/> Victim restitution \$ _____ <input type="checkbox"/> Victim restitution TBD / Not ordered <input type="checkbox"/> VCB \$ _____ <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ _____ <input type="checkbox"/> COA \$ _____ CCA \$ _____ <input type="checkbox"/> Lab \$ _____ <input type="checkbox"/> Atty Fees \$ _____ Prob. Report Fee \$ _____ <input type="checkbox"/> Pay bal. of fine / LJ In lieu of fine / <input type="checkbox"/> Susp. after fine <input type="checkbox"/> _____ hours Volunteer work by _____ Fee \$ _____ <input type="checkbox"/> Balance of fines / fees / rest. to remain as ordered <input type="checkbox"/> Make payments to Linebarger. <input type="checkbox"/> Other</p>	<p>P <input type="checkbox"/> Court / Formal Prob. _____ yrs. _____ mos. R <input type="checkbox"/> No Probation O <input type="checkbox"/> Adult Pre-Trial / Post Plea / Diversion B <input type="checkbox"/> Prob. / Div. / Parole / PRCS Reinst'd / Ext. / Modif. A to _____ T <input type="checkbox"/> Def given / waived rights to Revoc Hg: admits / I denies allegation O <input type="checkbox"/> Violation of Prob. / Div. / Parole / PRCS H <input type="checkbox"/> Prob. / Div. / Parole / PRCS revoked I <input type="checkbox"/> In re law notice given D <input type="checkbox"/> Prob. / Div / PRCS: Terminated: I Successfully / Unsuccessfully / Denied V <input type="checkbox"/> Crim. proceedings susp. / reinstated / dism. / <input type="checkbox"/> Standard terms & cond. of Probation given P <input type="checkbox"/> PC 296 sample ordered / verified A <input type="checkbox"/> Parole violation(s) sustained / not sustained R <input type="checkbox"/> County jail _____ days / mos / yrs O <input type="checkbox"/> _____ days / mos / yrs credit C <input type="checkbox"/> _____ days / mos / yrs suspended O <input type="checkbox"/> Sentence to commence _____ N <input type="checkbox"/> Serve consecutive / concurrent with: E _____ <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD <input type="checkbox"/> Release from custody to program <input type="checkbox"/> Day-for-day credit for successful completion of <input type="checkbox"/> approved _____ day / mo / yr <input type="checkbox"/> residential treatment program <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO <input type="checkbox"/> Sent. recall purs. to 1170.18 / Prop 47 dept resent. <input type="checkbox"/> See attached additional orders</p>	<p>P <input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp C <input type="checkbox"/> Court appoints Dr. _____ 1 Purs. PC288.1 / PC1368 3 <input type="checkbox"/> Counsel submit on Dr / CONREP Report 6 dated _____ marked as EXH 8 <input type="checkbox"/> Court finds def competent / incompetent to / stand trial 1 <input type="checkbox"/> Court refers def to CONREP / Adult MH 3 <input type="checkbox"/> Def committed to _____ 7 Max term of commitment _____ 0 Local custody credits _____ <input type="checkbox"/> Meds voluntary / involuntary / no consent <input type="checkbox"/> Criminal proceedings reinstated State Prison _____ yrs _____ mos County Jail _____ yrs _____ mos _____ days Mand. Sup. _____ yrs _____ mos _____ days CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) ENH _____ yrs _____ mos ENH _____ yrs _____ mos ACTUAL CTS _____ CONDUCT CTS _____ <input type="checkbox"/> 1/2 time credits <input type="checkbox"/> Parole / PRCS advisement given <input type="checkbox"/> Paper commitment</p>
<p><input type="checkbox"/> REMANDED <input type="checkbox"/> Court Courtesy <input type="checkbox"/> Ordered released <input type="checkbox"/> On OR <input type="checkbox"/> Promise to Appear <input checked="" type="checkbox"/> Cont'd on bond/cash bail posted <input type="checkbox"/> Phone calls Bail set in the amount of \$ _____ <input type="checkbox"/> State Prison Commitment <input type="checkbox"/> Committed to custody until sentence is satisfied in full TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof. DATED: <u>7/22/2017</u> JUDGE OF THE SUPERIOR COURT</p>		

See back of form for additional information.

WHITE - Court

GREEN - Jail (if in custody)

CANARY - Defendant

PINK - Probation

GOLDENROD - CCU

CR-3013 (Rev 10/12/18)

TESLA-0001078

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
 SUPERIOR COURT OF CALIFORNIA, MARTINEZ

DOCKET NO.
 05-190194-1 02

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

PA RATE-H

DEFENDANT: BRYANT, CLENZELL DEPT. MCC DATE 6/03/2019 TIME 8:45 AM
 ADDRESS 19 ATLANTIC CIR #203 PITTSBURG CA 94565 DOB: 03/31/1996
 ROC: TRIAL FEL PROB DEFENSE ATTORNEY KULUK TIME NOT WAIVED
 CUSTODIAL STATUS: SBOND \$150,000
 CHARGES: 01 F PC 211 02 F PC 211 03 F PC 211
07 F VC 2800.2 W/E

MINUTES CERTIFIED CORRECT

JUDGE THERESA CANEPA
 ASSIGN TO DEPT. 40 JUDGE Bowen

COURT REPORTER M. ARGYROPOULOS CLERK A. JANG
VALERIE PRINCE CSR# 7946 C. Castillo

<p>A <input type="checkbox"/> Def proceeds PRO PER <input type="checkbox"/> Appearance waived P <input type="checkbox"/> Def appears <input type="checkbox"/> In Custody <input type="checkbox"/> Def not appearing P <input type="checkbox"/> With / by Atty / Pub Def <u>ADO Kuluk</u> E <input type="checkbox"/> Deputy District Atty <u>Cabra / Belmont</u> A <input type="checkbox"/> Court Probation Officer R <input type="checkbox"/> Interp. <input type="checkbox"/> cert. <input type="checkbox"/> non-cert. A sworn / oath on file / qualified per Rule 2.893 N <input type="checkbox"/> Order <input type="checkbox"/> Interp. <input type="checkbox"/> Coord. Notified C <input type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified E <input type="checkbox"/> PD / ADO / PVT <input type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd <input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p>	<p>A Handed copy of: <input type="checkbox"/> Petition to Revoke R <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / GJ transcript R <input type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study G <input type="checkbox"/> Formal arraignment waived / Reading of Compl. N <input type="checkbox"/> Duly arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol. M <input type="checkbox"/> Answers true name as charged E <input type="checkbox"/> Deny enhancements N <input type="checkbox"/> Plea of not guilty entered T <input type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed</p>	<p>W <input type="checkbox"/> Bench Warrant to issue A Bail set at \$ R <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app A <input type="checkbox"/> Hold until N <input type="checkbox"/> Bail forfeited & continued 190 days T <input type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out I <input type="checkbox"/> Bail exonerated L <input type="checkbox"/> Bail forfeiture set aside & reinstated upon payment of fee \$</p>
<p>P <input type="checkbox"/> Written plea filed <input type="checkbox"/> Pleads Guilty, Ct. # L <input type="checkbox"/> Pleads no contest, Found Guilty Ct # E <input type="checkbox"/> Pleads Not guilty / Found Not guilty by reason of insanity A <input type="checkbox"/> Admits / denies: priors / enhancements / strikes S <input type="checkbox"/> Rights given / waived <input type="checkbox"/> App. Rights given / waived I <input type="checkbox"/> Per PC1192.5 V <input type="checkbox"/> Time for Misdo Trial / Sent waived / not waived E <input type="checkbox"/> Time for Fel PX / Trial <u>10/60</u> days waived / not waived R <input type="checkbox"/> Time for PV - 15/45 days waived / not waived S <input type="checkbox"/> Other</p>	<p>O <input type="checkbox"/> Obey all laws <input type="checkbox"/> Use true name / DOB R <input type="checkbox"/> Do Not use any alcohol / drugs w/o Rx C <input type="checkbox"/> Attend AA / NA meetings per week and O present proof at each court appearance N <input type="checkbox"/> Submit to search/testing for D <input type="checkbox"/> Re-ref / Reinstate L1 / L2 / PCDDP S <input type="checkbox"/> Not drive unless properly licensed and insured. <input type="checkbox"/> Destroy / Return Weapon <input type="checkbox"/> SCRAM / GPS <input type="checkbox"/> Ordered <input type="checkbox"/> Removed</p>	<p>C TRIAL: <u>7-22-19 8:45</u> O RC/PC: <u>7-10-19 D.35</u> N PX: <u>8:30 D6</u> T PTC/SET: I <input type="checkbox"/> FUTURE DATES CONFIRMED N <input type="checkbox"/> Time waived to <u>7/22/19</u> +10/60 days C <input type="checkbox"/> Vacate date of E <input type="checkbox"/> Def must / need not appear <u>7/22</u> S <input type="checkbox"/> Trailing Last Day</p>
<p>M <input type="checkbox"/> Defendant held to answer at PX hearing O <input type="checkbox"/> People / Def Motion to / for / cont T <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken I <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted O <input type="checkbox"/> Info / Indictment/Complaint amended on its face to R add Ct # a violation of section D Fel / Misd E <input type="checkbox"/> Pursuant to 23103.5 CVC <input type="checkbox"/> Substitute misdemeanor for felony where it appears <input type="checkbox"/> in Ct # <input type="checkbox"/> Per Court / DA dismiss Ct # <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes <input type="checkbox"/> Reasons: <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Deft. <input type="checkbox"/> Victim <input type="checkbox"/> DA <input type="checkbox"/> Stay away from</p>	<p>P <input type="checkbox"/> Court / Formal Prob. yrs. mos. R <input type="checkbox"/> No Probation O <input type="checkbox"/> Adult Pre-Trial / Post Plea / Diversion B <input type="checkbox"/> Prob./ Div. / Parole / PRCS Reinst'd / Ext./ Modif. A to T <input type="checkbox"/> Def given / waived rights to Revoc Hg: admits / I denies allegation O <input type="checkbox"/> Violation of Prob./ Div. / Parole / PRCS N <input type="checkbox"/> Prob. / Div. / Parole / PRCS revoked D <input type="checkbox"/> In re law notice given I <input type="checkbox"/> Prob. / Div / PRCS: Terminated: <input type="checkbox"/> Successfully / Unsuccessfully / Denied V <input type="checkbox"/> Crim. proceedings susp / reinstated / dism. I <input type="checkbox"/> Standard terms & cond. of Probation given P <input type="checkbox"/> PC 296 sample ordered / verified A <input type="checkbox"/> Parole violation(s) sustained / not sustained R O R O L E</p>	<p>P <input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp C <input type="checkbox"/> Court appoints Dr. I Purs. PC288.1 / PC1368 3 <input type="checkbox"/> Counsel submit on Dr / CONREP Report 6 dated marked as EXH 8 <input type="checkbox"/> Court finds def competent / incompetent to <input type="checkbox"/> stand trial 1 <input type="checkbox"/> Court refers def to CONREP / Adult MH 3 <input type="checkbox"/> Def committed to 0 Max term of commitment Local custody credits <input type="checkbox"/> Meds voluntary / involuntary / no consent <input type="checkbox"/> Criminal proceedings reinstated</p>
<p>F <input type="checkbox"/> RF\$ [PC1202.4] <input type="checkbox"/> Fine \$ I <input type="checkbox"/> Prob. Viol. Fine \$ <input type="checkbox"/> PVRF/PRCS \$ N [PC1202.44] suspended / imposed [PC1202.44] E <input type="checkbox"/> Victim restitution \$ <input type="checkbox"/> Victim restitution TBD / Not ordered <input type="checkbox"/> VCB \$ <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ <input type="checkbox"/> COA \$ CCA \$ <input type="checkbox"/> Lab \$ <input type="checkbox"/> Atty Fees \$ <input type="checkbox"/> Prob. Report Fee \$ <input type="checkbox"/> Pay bal. of fine/ <input type="checkbox"/> In lieu of fine/ <input type="checkbox"/> Susp. after fine <input type="checkbox"/> hours Volunteer work by Fee \$ <input type="checkbox"/> Balance of fines / fees / rest. to remain as ordered <input type="checkbox"/> Make payments to Linebarger. <input type="checkbox"/> Other</p>	<p>C <input type="checkbox"/> County jail days / mos / yrs O <input type="checkbox"/> days / mos / yrs credit M <input type="checkbox"/> days / mos / yrs suspended I <input type="checkbox"/> Sentence to commence T <input type="checkbox"/> Serve consecutive / concurrent with: E N <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD T <input type="checkbox"/> Release from custody to program S <input type="checkbox"/> Day-for-day credit for successful completion of <input type="checkbox"/> approved day / mo / yr <input type="checkbox"/> residential treatment program R <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO E <input type="checkbox"/> Sent. recall purs. to 1170.18 / Prop 47 dept resent. G <input type="checkbox"/> See attached additional orders I S</p>	<p>State Prison yrs mos County Jail yrs mos days Mand. Sup. yrs mos days CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) ENH yrs mos ENH yrs mos ACTUAL CTS CONDUCT CTS <input type="checkbox"/> 1/2 time credits <input type="checkbox"/> Parole / PRCS advisement given <input type="checkbox"/> Paper commitment</p>
<p><input type="checkbox"/> REMANDED <input type="checkbox"/> Court Courtesy <input type="checkbox"/> Ordered released <input type="checkbox"/> On OR <input type="checkbox"/> Promise to Appear <input type="checkbox"/> Cont'd on bond/cash bail posted <input type="checkbox"/> Phone calls Bail set in the amount of \$ <input type="checkbox"/> State Prison Commitment <input type="checkbox"/> Committed to custody until sentence is satisfied in full TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof. DATED: <u>6/03/2019</u> <u>THERESA CANEPA</u> JUDGE OF THE SUPERIOR COURT</p>		

See back of form for additional information.

WHITE - Court GREEN - Jail (if in custody) CANARY - Defendant PINK - Probation GOLDENROD - CCU

CR-3013 (Rev. 10/12/18)

TESLA-0001079

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

DOCKET NO.

SUPERIOR COURT OF CALIFORNIA

HARTINEZ

CC 170194

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

P4 RATE 4

DEFENDANT: ARYANT, CLENZELL DEPT. 002 DATE 3/19/2017 TIME 1:00 PM
 ADDRESS 14 ATLANTIC CIR 3025 PITTENGER CA 94513 DOB: 03/01/1994
 ROC: 007 001 PROB 000 DEFENSE ATTORNEY ARMOUR, JR TIME 007 WAIVED
 CUSTODIAL STATUS: SPOND 9150.000
 CHARGES: 07 F VC 2800.2 B/E 02 F PC 211 02 F PC 211 02 F PC 211

MINUTES CERTIFIED CORRECT

JUDGE P. SCANLON

COURT

REPORTER M Butler

CLERK

ANDOL / KOEPP

ASSIGN

COURT

TO DEPT. JUDGE

REPORTER

CLERK

<p>A P P E A R A N C E</p> <p><input type="checkbox"/> Def proceeds PRO PER <input type="checkbox"/> Appearance waived <input type="checkbox"/> Def appears <input type="checkbox"/> In Custody <input type="checkbox"/> Def not appearing <input type="checkbox"/> With / by Atty / Pub Def <u>1000 / 1000</u> <input type="checkbox"/> Deputy District Atty <u>1000 / 1000</u> <input type="checkbox"/> Court Probation Officer <u>1000 / 1000</u> <input type="checkbox"/> Interp. <u>1000 / 1000</u> <input type="checkbox"/> cert. <input type="checkbox"/> non-cert. sworn / oath on file / qualified per Rule 2.893 <input type="checkbox"/> Order <u>1000 / 1000</u> <input type="checkbox"/> Interp. <input type="checkbox"/> Coord. Notified <input type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified <input type="checkbox"/> PD / ADO / PVT <input type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd <input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p>	<p>A R R A I G N M E N T</p> <p>Handed copy of: <input type="checkbox"/> Petition to Revoke <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / GJ transcript <input type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study <input type="checkbox"/> Formal arraignment waived / Reading of Compl. <input type="checkbox"/> Duly arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol. <input type="checkbox"/> Answers true name as charged <input type="checkbox"/> Deny enhancements <input type="checkbox"/> Plea of not guilty entered <input type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed</p>	<p>W A R R A N T</p> <p><input type="checkbox"/> Bench Warrant to issue Bail set at \$ <u>1000</u> <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app <input type="checkbox"/> Hold until <u>1000</u> <input type="checkbox"/> Bail forfeited & continued 190 days <input type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out <input type="checkbox"/> Bail exonerated <input type="checkbox"/> Bail forfeiture set aside & reinstated upon payment of fee \$ <u>1000</u></p>
<p>P L E A S / W A I V E R S</p> <p><input type="checkbox"/> Written plea filed <input type="checkbox"/> Pleads Guilty, Ct. # <u>1000</u> <input type="checkbox"/> Pleads no contest, Found Guilty Ct # <u>1000</u> <input type="checkbox"/> Pleads Not guilty / Found Not guilty by reason of insanity <input type="checkbox"/> Admits / denies: priors / enhancements / strikes <input type="checkbox"/> Rights given / waived <input type="checkbox"/> App. Rights given / waived <input type="checkbox"/> Per PC1192.5 <input type="checkbox"/> Time for Misdo Trial / Sent waived / not waived <input type="checkbox"/> Time for Fel PX / Trial 10 / 60 days waived / not waived <input type="checkbox"/> Time for PV - 15 / 45 days waived / not waived <input type="checkbox"/> Other <u>1000</u></p>	<p>O R D E R S</p> <p><input type="checkbox"/> Obey all laws <input type="checkbox"/> Use true name / DOB <input type="checkbox"/> Do Not use any alcohol / drugs w/o Rx <input type="checkbox"/> Attend <u>AA</u> / NA meetings per week and present proof at each court appearance <input type="checkbox"/> Submit to search/testing for <u>1000</u> <input type="checkbox"/> Re-ref / Reinstate L1 / L2 / PCDDP <input type="checkbox"/> Not drive unless properly licensed and insured. <input type="checkbox"/> Destroy / Return Weapon <input type="checkbox"/> SCRAM / GPS <input type="checkbox"/> Ordered <input type="checkbox"/> Removed</p>	<p>C O N T I N U E</p> <p>TRIAL: <u>6/3 845 D35</u> RC/RCR: <u>5/22 830 D6</u> PX: <u>1000</u> PTC/SET: <u>1000</u> <input type="checkbox"/> FUTURE DATES CONFIRMED <input type="checkbox"/> Time waived to <u>6/3 10 60 days</u> <input type="checkbox"/> Vacate date of <u>6/3</u> <input type="checkbox"/> Defendant need not appear <u>6/3</u> <input type="checkbox"/> Trailing <u>845 D35</u> Last Day <u>1000</u></p>
<p>M O T I O N S / O R D E R S</p> <p><input type="checkbox"/> Defendant held to answer at PX hearing <input type="checkbox"/> People / Def Motion to / for / cont <u>1000</u> <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted <input type="checkbox"/> Info / Indictment/Complaint amended on its face to add Ct # <u>1000</u> a violation of section <u>1000</u> <u>1000</u> Fel / Misd <input type="checkbox"/> Pursuant to 23103.5 CVC <input type="checkbox"/> Substitute misdemeanor for felony where it appears in Ct # <u>1000</u> <input type="checkbox"/> Per Court / DA dismiss Ct # <u>1000</u> <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes Reasons: <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Deft. <input type="checkbox"/> Victim <input type="checkbox"/> DA <input type="checkbox"/> Stay away from <u>1000</u></p>	<p>P R O B A T I O N / D I V I S I O N</p> <p><input type="checkbox"/> Court / Formal Prob. <u>1000</u> yrs. <u>1000</u> mos. <input type="checkbox"/> No Probation <input type="checkbox"/> Adult Pre-Trial / Post Plea / Diversion <input type="checkbox"/> Prob. / Div. / Parole / PRCS Reinst'd / Ext. / Modif. to <u>1000</u> <input type="checkbox"/> Def given / waived rights to Revoc Hg: admits / denies allegation <u>1000</u> <input type="checkbox"/> Violation of Prob. / Div. / Parole / PRCS <input type="checkbox"/> Prob. / Div. / Parole / PRCS revoked <input type="checkbox"/> In re law notice given <input type="checkbox"/> Prob. / Div. / PRCS: Terminated: Successfully / Unsuccessfully / Denied <input type="checkbox"/> Crim. proceedings susp. / reinstated / dism. <input type="checkbox"/> Standard terms & cond. of Probation given <input type="checkbox"/> PC 296 sample ordered / verified <input type="checkbox"/> Parole violation(s) sustained / not sustained</p>	<p>P C</p> <p><input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp <input type="checkbox"/> Court appoints Dr. <u>1000</u> Purs. PC288.1 / PC1368 <input type="checkbox"/> Counsel submit on Dr / CONREP Report dated <u>1000</u> marked as EXH <u>1000</u> <input type="checkbox"/> Court finds def competent / incompetent to stand trial <u>1000</u> <input type="checkbox"/> Court refers def to CONREP / Adult MH <input type="checkbox"/> Def committed to <u>1000</u> Max term of commitment <u>1000</u> Local custody credits <u>1000</u> <input type="checkbox"/> Meds voluntary / involuntary / no consent <input type="checkbox"/> Criminal proceedings reinstated</p>
<p>F I N E S / F E E S</p> <p><input type="checkbox"/> RFS <u>1000</u> [PC1202.4] <input type="checkbox"/> Fine \$ <u>1000</u> <input type="checkbox"/> Prob. Viol. Fine \$ <u>1000</u> <input type="checkbox"/> PVR/PRCS \$ <u>1000</u> <u>1000</u> [PC1202.44] suspended / imposed [PC1202.44] <input type="checkbox"/> Victim restitution \$ <u>1000</u> <input type="checkbox"/> Victim restitution TBD / Not ordered <input type="checkbox"/> VCB \$ <u>1000</u> <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ <u>1000</u> COA \$ <u>1000</u> CCA \$ <u>1000</u> Lab \$ <u>1000</u> Drug Ed \$ <u>1000</u> Atty Fees \$ <u>1000</u> <input type="checkbox"/> Prob. Report Fee \$ <u>1000</u> <input type="checkbox"/> Pay bal. of fine/ <input type="checkbox"/> In lieu of fine/ <input type="checkbox"/> Susp. after fine <input type="checkbox"/> <u>1000</u> hours Volunteer work by <u>1000</u> Fee \$ <u>1000</u> <input type="checkbox"/> Balance of fines / fees / rest. to remain as ordered <input type="checkbox"/> Make payments to AllianceOne. <input type="checkbox"/> Other <u>1000</u></p>	<p>C O M M I T M E N T S</p> <p><input type="checkbox"/> County jail <u>1000</u> days / mos / yrs <input type="checkbox"/> <u>1000</u> days / mos / yrs credit <input type="checkbox"/> <u>1000</u> days / mos / yrs suspended <input type="checkbox"/> Sentence to commence <u>1000</u> <input type="checkbox"/> Serve consecutive / concurrent with: <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD <input type="checkbox"/> Release from custody to program <input type="checkbox"/> Day-for-day credit for successful completion of approved <u>1000</u> day / mo / yr residential treatment program <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO <input type="checkbox"/> Sent. recall purs. to 1170.18 / Prop 47 dept resent. <input type="checkbox"/> See attached additional orders</p>	<p>State Prison <u>1000</u> yrs <u>1000</u> mos County Jail <u>1000</u> yrs <u>1000</u> mos <u>1000</u> days Mand. Sup. <u>1000</u> yrs <u>1000</u> mos <u>1000</u> days CT <u>1000</u> L M U <u>1000</u> yrs <u>1000</u> mos (cc) (cs) CT <u>1000</u> L M U <u>1000</u> yrs <u>1000</u> mos (cc) (cs) CT <u>1000</u> L M U <u>1000</u> yrs <u>1000</u> mos (cc) (cs) CT <u>1000</u> L M U <u>1000</u> yrs <u>1000</u> mos (cc) (cs) ENH <u>1000</u> yrs <u>1000</u> mos ENH <u>1000</u> yrs <u>1000</u> mos ACTUAL CTS CONDUCT CTS <input type="checkbox"/> 1/2 time credits <input type="checkbox"/> Parole / PRCS advisement given <input type="checkbox"/> Paper commitment</p>
<p><input type="checkbox"/> REMANDED <input type="checkbox"/> Court Courtesy <input type="checkbox"/> Ordered released <input type="checkbox"/> On OR <input type="checkbox"/> Promise to Appear <input type="checkbox"/> Cont'd on bond/cash bail posted <input type="checkbox"/> Phone calls Bail set in the amount of \$ <u>1000</u> <input type="checkbox"/> State Prison Commitment <input type="checkbox"/> Committed to custody until sentence is satisfied in full TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof. DATED: <u>1000</u></p>		

JUDGE OF THE SUPERIOR COURT

See back of form for additional information

WHITE - Court

GREEN - Jail file in custody

CANARY - Defendant

PINK - Probation

GOVERNMENT - CCL

CR-3013 (Rev. 9/8/17)

TESLA-0001080

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

DOCKET NO.

SUPERIOR COURT OF CALIFORNIA

MARTINEZ

05-190194-1 02

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

DEFENDANT: BRYANT, CLENZELL DEPT. 003 DATE 2/11/2017 PA RATE-H
 ADDRESS 19 ATLANTIC CIR #203 PITTSBURGH PA 15205 DOB: 03/31/1976
 ROC: ARR FEL PROB DEFENSE ATTORNEY AD KULAK TIME 1:30 PM WAIVED
 CUSTODIAL STATUS: SBOND \$150,000
 CHARGES: VI F PC 211 05 F VC 2600.2 W/E

MINUTES CERTIFIED CORRECT

JUDGE P. SCANLEN COURT REPORTER G. YACOVETTI CLERK ARNOLD/VOERBER
 ASSIGN TO DEPT. JUDGE COURT REPORTER L. ANDERSON

A ☒ Def proceeds PRO PER ☐ Appearance waived
P ☒ Def appears ☐ In Custody ☐ Def not appearing
E ☒ With / by Atty / Pub Def / ADO Mark
A ☒ Deputy District Atty Mark
R ☐ Court Probation Officer
A ☐ Interp. ☐ cert. ☐ non-cert.
N ☐ sworn / oath on file / qualified per Rule 2.893
C ☐ Order ☐ Interp. ☐ Coord. Notified
E ☐ Refer to PD / PROB B Study / PPR / ☐ Confl. Notified
☐ PD / ADO / PVT ☐ accepts ☐ relieved ☐ appt'd
☐ 170.6 / 171 PC filed / Order ☐ Granted ☐ Denied

A Handed copy of: ☐ Petition to Revoke
R ☒ Information / Indictment ☐ PX / G transcript
R ☐ Complaint/Discovery ☐ Bail Study
A ☒ Formal arraignment waived / Reading of Compl.
I ☐ Duly arraigned ☐ Video ☐ on Prob. Viol.
G ☐ Answers true name as charged
N ☐ deny enhancements
M ☒ Plea of not guilty entered
E ☒ Time not waived ☐ PC977 waiver filed

W ☐ Bench Warrant to issue
A Bail set at \$
R ☐ No Cite/PTA release ☐ No vol app
R ☐ Hold until
A ☐ Bail forfeited & continued 190 days
N ☐ Recalled ☐ Set aside ☐ Remain out
T ☐ Bail exonerated
/ ☐ Bail forfeiture set aside & reinstated
B upon payment of fee \$
A
I
L

P ☐ Written plea filed ☐ Pleads Guilty, Ct. #
L ☐ Pleads no contest, Found Guilty Ct #
E ☐ Pleads Not guilty / Found Not guilty by reason of insanity
A ☐ Admits / denies: priors / enhancements / strikes
S ☐ Rights given / waived ☐ App. Rights given / waived
/ ☐ Per PC1192.5
W ☐ Time for Misdo Trial / Sent waived / not waived
A ☐ Time for Fel PX / Trial 10 / 60 days waived / not waived
I ☐ Time for PV - 15 / 45 days waived / not waived
V ☐ Other
E
R
S

O ☐ Obey all laws ☐ Use true name / DOB
R ☐ Do Not use any alcohol / drugs w/o Rx
R ☐ Attend AA / NA meetings per week and
A present proof at each court appearance
I ☐ Submit to search/testing for
G ☐ Re-ref / Reinstate L1 / L2 / PCDDP
N ☐ Not drive unless properly licensed and insured.
M ☐ Destroy / Return Weapon
E ☐ SCRAM / GPS ☐ Ordered ☐ Removed

C TRIAL:
O RC/FR: 3/18 1:30 D3
N PX:
T PTC/SEP
I
N ☐ FUTURE DATES CONFIRMED
U ☒ Time waived to 3/18 +10 / 60 days
A ☐ Vacate date of
N ☒ Def must / need not appear
C ☐ Trailing
E Last Day
S

M ☐ Defendant held to answer at PX hearing
O ☐ People / Def Motion to / for / cont
T ☐ People / Def objected ☐ No action taken
I ☐ Granted ☐ Denied ☐ Submitted
O ☐ Info / Indictment/Complaint amended on its face to
N add Ct # _____ a violation of section
S _____ Fel / Misd
/
O ☐ Pursuant to 23103.5 CVC
R ☐ Substitute misdemeanor for felony where it appears
D in Ct # _____
E ☐ Per Court / DA dismiss Ct # _____
R ☐ Per Court / DA dismiss Enhancements / Strikes
S Reasons:
☐ Crim. protective order issued/modified/served on
☐ Deft. ☐ Victim ☐ DA
☐ Stay away from

P ☐ Court / Formal Prob. _____ yrs. _____ mos.
R ☐ No Probation
O ☐ Adult Pre-Trial / Post Plea / Diversion
B ☐ Prob. / Div. / Parole / PRCS Reinst'd / Ext. / Modif.
A to _____
T ☐ Def given / waived rights to Revoc Hg: admits /
I denies allegation
O ☐ Violation of Prob. / Div. / Parole / PRCS
N ☐ Prob. / Div. / Parole / PRCS revoked
D ☐ In re law notice given
I ☐ Prob. / Div / PRCS: Terminated:
V Successfully / Unsuccessfully / Denied
/
P ☐ Crim. proceedings susp. / reinstated / dism.
A ☐ Standard terms & cond. of Probation given
R ☐ PC 296 sample ordered / verified
O ☐ Parole violation(s) sustained / not sustained
L
E

P ☐ Counsel declares doubt / ☐ Crim proc susp
C ☐ Court appoints Dr. _____
I Purs. PC288.1 / PC1368
3 ☐ Counsel submit on Dr / CONREP Report
6 dated _____ marked as EXH
8 ☐ Court finds def competent / incompetent to
/ stand trial
1 ☐ Court refers def to CONREP / Adult MH
3 ☐ Def committed to _____
7 Max term of commitment _____
0 Local custody credits _____
☐ Meds voluntary / involuntary / no consent
☐ Criminal proceedings reinstated

F ☐ RF\$ _____ [PC1202.4] ☐ Fine \$ _____
I ☐ Prob. Viol. Fine \$ _____ PVR/PRCS \$ _____
N [PC1202.44] suspended / imposed [PC1202.44]
E ☐ Victim restitution \$ _____
S ☐ Victim restitution TBD / Not ordered
/ ☐ VCB \$ _____
F ☐ \$10 Cite Fee ☐ \$25 O.R. ☐ \$41 Theft fee
E ☐ CJA govt. code 29550 et. seq. \$ _____
S ☐ COA \$ _____ CCA \$ _____
☐ Lab \$ _____ Drug Ed \$ _____
☐ Atty Fees \$ _____ Prob. Report Fee \$ _____
☐ Pay bal. of fine/ ☐ In lieu of fine/ ☐ Susp. after fine
☐ _____ hours Volunteer work by _____ Fee \$ _____
☐ Balance of fines / fees / rest. to remain as ordered
☐ Make payments to AllianceOne.
☐ Other

C ☐ County jail _____ days / mos / yrs
O _____ days / mos / yrs credit
M _____ days / mos / yrs suspended
I ☐ Sentence to commence _____
T ☐ Serve consecutive / concurrent with:
M
E ☐ Jail ☐ SWAP ☐ No EHD ☐ EHD
N ☐ Release from custody to program
T ☐ Day-for-day credit for successful completion of
approved _____ day / mo / yr
residential treatment program
R ☐ PC 290 registration ☐ SARATSO
E ☐ Sent. recall purs. to 1170.18 / Prop 47 dept resent.
G ☐ See attached additional orders
I
S

State Prison _____ yrs _____ mos
 County Jail _____ yrs _____ mos _____ days
 Mand. Sup. _____ yrs _____ mos _____ days
 CT _____ L M U _____ yrs _____ mos (cc) (cs)
 CT _____ L M U _____ yrs _____ mos (cc) (cs)
 CT _____ L M U _____ yrs _____ mos (cc) (cs)
 CT _____ L M U _____ yrs _____ mos (cc) (cs)
 ENH _____ yrs _____ mos
 ENH _____ yrs _____ mos
 ACTUAL CTS _____
 CONDUCT CTS _____
☐ 1/2 time credits
☐ Parole / PRCS advisement given
☐ Paper commitment

☐ REMANDED ☐ Court Courtesy ☐ Ordered released ☐ On OR ☐ Promise to Appear ☒ Cont'd on bond/cash bail posted ☐ Phone calls
 Bail set in the amount of \$ _____ ☐ State Prison Commitment ☐ Committed to custody until sentence is satisfied in full
 TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof.

DATED: 2/21/2017

JUDGE OF THE SUPERIOR COURT

TESLA-0001081

Superior Court of California, County of Contra Costa
☐ MARTINEZ ☐ PITTSBURG ☐ RICHMOND

5-190194-1
 SUPPLEMENTAL

FELONY, COMMITMENT,
 HOLDING OVER, REMANDING FORM

CLERK'S DOCKET AND MINUTES

DEFENDANT (NAME): Clenzell Bryant

CASE # 04-195330-6 A2
 DATE(S) 1/22/19

APPLICABLE ENTRIES MARKED

APPEARANCES

☒ Deputy District Attorney Simon D'Connell

PROCEEDINGS

Defendant and Attorney ADO Evan Kuluk

Voir dire by Barrera

☒ Other after Barrera designated as investigating officer

MOTIONS

☐ Motion to Exclude Witness(es)/Spectators ☐ Except

by redacted supervised release ☐ Granted ☐ Denied

☒ Motion by People/Defense to/for

☐ Motion to reduce per PC 17b is

☒ Argued & Submitted ☐ Submitted Without Argument ☐ Granted ☒ Denied ☐ Taken Under Submission ☐ Other

WITNESSES

WITNESS(ES) SWORN AND TESTIFIED FOR PEOPLE

1. Officer RYAN REZENTES, BPD
2. Officer Edward Barrera
3. _____
4. _____
5. _____
6. _____

☐ See reverse side for additional witnesses and exhibits

EXHIBITS

EXHIBITS ON BEHALF OF THE PEOPLE
 Description

Marked Withdrawn Admitted

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

☐ ☐ ☐
☐ ☐ ☐
☐ ☐ ☐
☐ ☐ ☐
☐ ☐ ☐
☐ ☐ ☐

WITNESS(ES) SWORN AND TESTIFIED FOR DEFENDANT

1. _____
2. _____
3. _____
4. _____

☐ See reverse side for additional witnesses and exhibits

EXHIBITS ON BEHALF OF THE DEFENDANT
 Description

Marked Withdrawn Admitted

- A. _____
- B. _____
- C. _____
- D. _____

☐ ☐ ☐
☐ ☐ ☐
☐ ☐ ☐
☐ ☐ ☐

☒ People Rest ☐ Defense Rests ☐ No Evidence by Defendant

☐ Closing Argument by People

☒ Rebuttal Closing by People DDA D'Connell

☒ Closing Argument by Defense ADO Kuluk

☐ Submitted

COURT ACTION

PRELIMINARY EXAMINATION HELD

☐ Preliminary examination was held on the above date and it appearing to the below named Judge that a Felony Violation of Cts 2+6 + enhs has been committed and

there is sufficient cause to believe the above named defendant GUILTY thereof, it is ordered that Defendant be held to answer to same.

PLEA OF GUILTY

☐ The above named defendant, being charged in a complaint on file in this Court under the above case number, and having entered a plea of GUILTY to a Felony Violation of _____, it is so ordered that this case together with a copy of all proceedings held herein is certified to the Superior Court of California, County of Contra Costa.

PRELIMINARY EXAMINATION WAIVED

☐ The above named defendant, being charged in a complaint on file in this Court under the above case number, and having waived preliminary examination of the charges, the Court and the District Attorney consenting thereto, it is ordered that Defendant be held to answer the same.

DISCHARGE

☒ Defendant is Discharged as to Cts 2+6 + enhs

☐ Other

SETTINGS/REFERRALS

☒ Defendant ordered to appear in the Superior Court of Contra Costa County Department 3 on 2/11/19 at 1:30 for ADP

☐ Defendant referred to Probation Department for Report

☒ Stipulated that exhibits be returned to _____ ☐ Exhibits retained by court

☐ Other

CUSTODIAL STATUS

☐ DEFENDANT REMANDED to custody to Sheriff until legally discharged.

☐ ADMIT TO BAIL amount of \$ 150,000 and defendant is remanded to the Sheriff of this County until such bail is given.

☐ DEFENDANT RELEASED/CONTINUED on own recognizance.

☐ DEFENDANT TO REMAIN FREE on cash/bail bond as posted or own recognizance

☐ DEFENDANT RELEASED on signed promise to appear

TO THE SHERIFF. I hereby certify that the following is a true copy of the entry of the judgment or order and is your authority for the execution thereof.

DATED: 1/22/19

Julie Salas
 Judge of the Superior Court

☐ See other minute pages for additional proceedings

TESLA-0001082

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
 SUPERIOR COURT OF CALIFORNIA PITTSBURG

DOCKET NO.

04-195330-6 02

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

PA RATE-H

DEFENDANT: BRYANT, CLENZELL DEPT. 004 DATE 1/22/2019 TIME 8:45 AM
 ADDRESS 19 ATLANTIC CIR #203 PITTSBURG CA 94565 DOB: 03/31/1976
 ROC: PX FEL PROB DEFENSE ATTORNEY KULUK TIME NOT WAIVED
 CUSTODIAL STATUS: CUST TARGET: 1/28/
 CHARGES: 01 F PC 209(b)(1) 02 F PC 211 04 F VC 2800.2

Department 26 MINUTES CERTIFIED CORRECT
 JUDGE MARY A. D'AMICO Judge Judy Johnson COURT REPORTER M. HAYNES CLERK D. MURGUIA
 ASSIGN Clerk: Jocelyn Lem COURT
 TO DEPT. JUDGE Reporter: Priscilla Gwaltney, CSR#13316 CLERK 600 3/1

<input type="checkbox"/> Def proceeds PRO PER <input type="checkbox"/> Def appears <input checked="" type="checkbox"/> In Custody <input type="checkbox"/> Def not appearing <input type="checkbox"/> With / by Atty / Pub Def / ADO <input type="checkbox"/> Deputy District Atty <input type="checkbox"/> Court Probation Officer <input type="checkbox"/> Interp. <input type="checkbox"/> cert. <input type="checkbox"/> non-cert. sworn / oath on file / qualified per Rule 2.893 <input type="checkbox"/> Order <input type="checkbox"/> Interp. <input type="checkbox"/> Coord. Notified <input type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified <input type="checkbox"/> PD / ADO / PVT <input type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd <input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied	<input type="checkbox"/> Handed copy of: <input type="checkbox"/> Petition to Revoke <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / GJ transcript <input type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study <input type="checkbox"/> Formal arraignment waived / Reading of Compl. <input type="checkbox"/> Duty arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol. <input type="checkbox"/> Answers true name as charged <input type="checkbox"/> Deny enhancements <input type="checkbox"/> Plea of not guilty entered <input type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed	<input type="checkbox"/> Bench Warrant to issue <input type="checkbox"/> Bail set at \$ <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app <input type="checkbox"/> Hold until <input type="checkbox"/> Bail forfeited & continued 190 days <input type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out <input type="checkbox"/> Bail exonerated <input type="checkbox"/> Bail forfeiture set aside & reinstated upon payment of fee \$
<input type="checkbox"/> Written plea filed <input type="checkbox"/> Pleads Guilty, Ct. # <input type="checkbox"/> Pleads no contest, Found Guilty Ct # <input type="checkbox"/> Pleads Not guilty / Found Not guilty by reason of insanity <input type="checkbox"/> Admits / denies: priors / enhancements / strikes <input type="checkbox"/> Rights given / waived <input type="checkbox"/> App. Rights given / waived <input type="checkbox"/> Per PC1192.5 <input type="checkbox"/> Time for Misd Trial / Sent waived / not waived <input type="checkbox"/> Time for Fel PX / Trial 10 / 60 days waived / not waived <input type="checkbox"/> Time for PV - 15 / 45 days waived / not waived <input checked="" type="checkbox"/> Other <u>at 1 + enh discharged</u>	<input type="checkbox"/> Obey all laws <input type="checkbox"/> Use true name / DOB <input type="checkbox"/> Do Not use any alcohol / drugs w/o Rx <input type="checkbox"/> Attend AA / NA meetings per week and present proof at each court appearance <input type="checkbox"/> Submit to search/testing for <input type="checkbox"/> Re-ref / Reinstate L1 / L2 / PCDDP <input type="checkbox"/> Not drive unless properly licensed and insured. <input type="checkbox"/> Destroy / Return Weapon <input type="checkbox"/> SCRAM / GPS <input type="checkbox"/> Ordered <input type="checkbox"/> Removed	TRIAL: <u>2/11/19 1:30</u> PTC/SET: <u>D 3 M+2</u> <input type="checkbox"/> FUTURE DATES CONFIRMED <input type="checkbox"/> Time waived to +10 / 60 days <input type="checkbox"/> Vacate date of <input type="checkbox"/> Def must / need not appear <input checked="" type="checkbox"/> Waiving Last Day
<input checked="" type="checkbox"/> Defendant held to answer at PX hearing <input type="checkbox"/> People / Def Motion to / for / cont <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted <input type="checkbox"/> Info / Indictment/Complaint amended on its face to add Ct # _____ a violation of section _____ Fel / Misd <input type="checkbox"/> Pursuant to 23103.5 CVC <input type="checkbox"/> Substitute misdemeanor for felony where it appears in Ct # _____ <input type="checkbox"/> Per Court / DA dismiss Ct # _____ <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes Reasons: <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Deft. <input type="checkbox"/> Victim <input type="checkbox"/> DA <input type="checkbox"/> Stay away from _____	<input type="checkbox"/> Court / Formal Prob. _____ yrs. _____ mos. <input type="checkbox"/> No Probation <input type="checkbox"/> Adult Pre-Trial / Post Plea / Diversion <input type="checkbox"/> Prob. / Div. / Parole / PRCS Reinst'd / Ext. / Modif. to _____ <input type="checkbox"/> Def given / waived rights to Revoc Hg: admits / denies allegation <input type="checkbox"/> Violation of Prob. / Div. / Parole / PRCS <input type="checkbox"/> Prob. / Div. / Parole / PRCS revoked <input type="checkbox"/> In re law notice given <input type="checkbox"/> Prob. / Div. / PRCS: Terminated: Successfully / Unsuccessfully / Denied <input type="checkbox"/> Crim. proceedings susp. / reinstated / dism. <input type="checkbox"/> Standard terms & cond. of Probation given <input type="checkbox"/> PC 296 sample ordered / verified <input type="checkbox"/> Parole violation(s) sustained / not sustained	<input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp <input type="checkbox"/> Court appoints Dr. _____ Purs. PC288.1 / PC1368 <input type="checkbox"/> Counsel submit on Dr / CONREP Report dated _____ marked as EXH <input type="checkbox"/> Court finds def competent / incompetent to stand trial <input type="checkbox"/> Court refers def to CONREP / Adult MH <input type="checkbox"/> Def committed to _____ Max term of commitment _____ Local custody credits _____ <input type="checkbox"/> Meds voluntary / involuntary / no consent <input type="checkbox"/> Criminal proceedings reinstated
<input type="checkbox"/> RF\$ _____ [PC1202.4] <input type="checkbox"/> Fine \$ _____ <input type="checkbox"/> Prob. Viol. Fine \$ _____ <input type="checkbox"/> PVRP/PRCS \$ _____ <input type="checkbox"/> [PC1202.44] suspended / imposed [PC1202.44] <input type="checkbox"/> Victim restitution \$ _____ <input type="checkbox"/> Victim restitution TBD / Not ordered <input type="checkbox"/> VCB \$ _____ <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ _____ <input type="checkbox"/> COA \$ _____ CCA \$ _____ <input type="checkbox"/> Lab \$ _____ Drug Ed \$ _____ <input type="checkbox"/> Atty Fees \$ _____ Prob. Report Fee \$ _____ <input type="checkbox"/> Pay bal. of fine/ <input type="checkbox"/> In lieu of fine/ <input type="checkbox"/> Susp. after file <input type="checkbox"/> _____ hours Volunteer work by _____ <input type="checkbox"/> Balance of fines / fees / rest. to remain ordered <input type="checkbox"/> Make payments to AllianceOne. <input type="checkbox"/> Other <u>150,000</u>	<input type="checkbox"/> County jail _____ days / mos / yrs <input type="checkbox"/> _____ days / mos / yrs credit <input type="checkbox"/> _____ days / mos / yrs suspended <input type="checkbox"/> Sentence to commence _____ <input type="checkbox"/> Serve consecutive / concurrent with: <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD <input type="checkbox"/> Release from custody to program <input type="checkbox"/> Day-for-day credit for successful completion of approved _____ day / mo / yr residential treatment program <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO <input type="checkbox"/> Sent. recall purs. to 1170.18 / Prop 47 dept resent. <input type="checkbox"/> See attached additional orders	State Prison _____ yrs _____ mos County Jail _____ yrs _____ mos _____ days Mand. Sup. _____ yrs _____ mos _____ days CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) CT _____ L M U _____ yrs _____ mos (cc) (cs) ENH _____ yrs _____ mos ENH _____ yrs _____ mos ACTUAL CTS _____ CONDUCT CTS _____ <input type="checkbox"/> 1/2 time credits <input type="checkbox"/> Parole / PRCS advisement given <input type="checkbox"/> Paper commitment

☒ REMANDED ☐ Court Courtesy ☐ Ordered released ☐ On OR ☐ Promise to Appear ☐ Cont'd on bond/cash bail posted ☐ Phone calls
 Bail set in the amount of \$ 150,000 ☐ State Prison Commitment ☐ Committed to custody until sentence is satisfied in full
 TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof.
 DATED: 1/22/2019 MARY A. D'AMICO JUDGE OF THE SUPERIOR COURT

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF CONTRA COSTA

HON. JUDY JOHNSON
PRISCILLA GWALTNEY #13316
J. LEM, COURTROOM CLERK
G. HENDERSON, BAILIFF
DEPARTMENT 26

PEOPLE OF THE STATE OF
CALIFORNIA

DDA Simon O'Connell

vs

DEMETRIC DIAZ
CLENZELL BRYANT

DPD Krista Della Piana
ADO Evan Kuluk

DEFENDANT

Docket 04-195330-6

PRELIMINARY HEARING
EXHIBIT LIST

PPL	DEF	DESCRIPTION	ID 2019	ADMITTED 2019	W/DRAWN 2019
1		Front of Domino's location	1/22/19	1/22/19	
2		Inside of Domino's - cash register area	1/22/19	1/22/19	
3		Inside of Domino's - Food prep and sink area with two standing individuals	1/22/19	1/22/19	
4		Inside of Domino's - Back of cash register area, depicting open register on night of incident	1/22/19	1/22/19	
5		Rear kitchen area of Domino's	1/22/19	1/22/19	
6		White Honda FIT vehicle	1/22/19	1/22/19	

TESLA-0001084

PPL	DEF	DESCRIPTION	ID 2019	ADMITTED 2019	W/DRAWN 2019
7		Rear view of white Honda FIT vehicle, depicting no rear license plate/sticker	1/22/19	1/22/19	
8		Open trunk depicting license plates & frames	1/22/19	1/22/19	
9		Black male	1/22/19	1/22/19	
10		Jean pocket of individual depicting money bills	1/22/19		
11		Jean pocket of individual depicting money bills	1/22/19		
12		Black head mask	1/22/19	1/22/19	
13		Cardboard box retrieved from trunk of FIT (labeled Case #1806244)	1/22/19	1/22/19	
14		Black paintball gun found in trunk of FIT	1/22/19	1/22/19	
15		Surveillance still of gunman w/gun on victim Sharifi 12/21/18 21:52.:28	1/22/19	1/22/19	
16		Leather hockey-like face mask found on floorboard of FIT	1/22/19	1/22/19	
	A(1)	Paintball gun retrieved from trunk of FIT	1/22/19	1/22/19	
	B(1)	Paintball gun retrieved from trunk of FIT	1/22/19	1/22/19	
	C(1)	Two individuals at food prep area	1/22/19		
	D(1)	Front of Dominos	1/22/19		
	E(1)	Inside of Domino's - cash register area	1/22/19		
	F(1)	Inside of Domino's - area behind register area	1/22/19	1/22/19	
	G(1)	Inside of Domino's - cash registers w/Officer Baccera's markings	1/22/19	1/22/19	
	H(1)	Inside of Domino's - cash registers	1/22/19		
	I(1)	Inside of Domino's - Kitchen area	1/22/19		

PPL	DEF	DESCRIPTION	ID 2019	ADMITTED 2019	W/DRAWN 2019
	J(1)	Inside of Domino's-cash registers	1/22/19		

From: CCC DISTRICT ATTORNEY

925 646 4174

01/18/2019 09:51

#861 P.004/013

PITT FRC
JUDGE MARY A O'MALLEY01/18/2019 8:20
DEPARTMENT 004

PAGE 3

CURRIE, DELANO DESHAWN 195107-8 F CUST FRC PD-MASTROM 8:20
CHARGES: PC 422(a)
PC 314(1)

PX 01/22/19

SOFT GO ✓

DIAZ, DEMETRIC 195330-6 F CUST FRC NO PD-DELLA-P 8:20
CHARGES: PC 209(b)(1)
PC 211
PC 245(a)(2)
PC 245(a)(2)
PC 245(a)(2)

PX 01/22/19

CONFIRM ✓

BRYANT, CLENZELL 195330-6 F CUST FRC NO KULUK 8:20
2 CHARGES: PC 209(b)(1)
2 PC 211
2 VC 2800.2
2
2

PX 01/22/19

CONFIRM ✓

2 hrs

DUTRA, THOMAS ANDREW 195316-5 F CUST FRC NO PD-FIERRO 8:20
CHARGES: PC 496D(a)
PC 496D(a)
PC 496(a)
PC 148.9(a)

PX 01/22/19

FLORES, ESTEBAN SAMUEL 195423-9 F CUST FRC NO PD-MCNAMAR 8:20
CHARGES: PC 211

PX 01/23/19

TESLA-0001087

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
 SUPERIOR COURT OF CALIFORNIA PITTSBURG

DOCKET NO.
 04-195330-6 02

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

PA RATE-H

DEFENDANT: BRYANT, CLENZELL DEPT. 004 DATE 1/15/2019 TIME 8:45 AM
 ADDRESS 19 ATLANTIC CIR #203 PITTSBURG CA 94565 DOB: 03/31/1994
 ROC: PX FEL PROB DEFENSE ATTORNEY KULUK TIME NOT WAIVED
 CUSTODIAL STATUS: CUST TARGET: 1/28/1
 CHARGES: 01 F PC 209(b)(1) 02 F PC 211 06 F VC 2800.2

MINUTES CERTIFIED CORRECT

JUDGE MARY A O'MALLEYCOURT REPORTER M. HAYNESCLERK D. MURGUIA

ASSIGN

COURT

CLERK

TO DEPT.

JUDGE

REPORTER

A ☐ Def proceeds PRO PER ☐ Appearance waived
 P ☒ Def appears ☐ In Custody ☐ Def not appearing
 P ☒ With / by Atty / Pub Def ADO Kuluk
 E ☒ Deputy District Atty ADO Kuluk
 A ☐ Court Probation Officer
 R ☐ Interp. ☐ cert. ☐ non-cert.
 A ☐ sworn / oath on file / qualified per Rule 2.893
 N ☐ Order ☐ Interp. ☐ Coord. Notified
 C ☐ Refer to PD / PROB B Study / PPR / ☐ Confl. Notified
 E ☐ PD / ADO / PVT ☐ accepts ☐ relieved ☐ appt'd
☐ 170.6 / 171 PC filed / Order ☐ Granted ☐ Denied

A Handed copy of: ☐ Petition to Revoke
 R ☐ Information / Indictment ☐ PX / GJ transcript
 R ☐ Complain/Discovery ☐ Bail Study
 G ☐ Formal arraignment waived / Reading of Compl.
 N ☐ Duty arraigned ☐ Video ☐ on Prob. Viol
 M ☐ Answers true name as charged
 E ☐ Deny enhancements
 N ☐ Plea of not guilty entered
 T ☐ Time not waived ☐ PC977 waiver filed

W ☐ Bench Warrant to issue
 A ☐ Bail set at \$
 R ☐ No Cite/PTA release ☐ No vol app
 A ☐ Hold until
 N ☐ Bail forfeited & continued 190 days
 T ☐ Recalled ☐ Set aside ☐ Remain out
 B ☐ Bail exonerated
 A ☐ Bail forfeiture set aside & reinstated
 I ☐ upon payment of fee \$
 L

P ☐ Written plea filed ☐ Pleads Guilty, Ct. #
 L ☐ Pleads no contest, Found Guilty Ct #
 A ☐ Pleads Not guilty / Found Not guilty by reason of insanity
 S ☐ Admits / denies: priors / enhancements / strikes
 W ☐ Rights given / waived ☐ App. Rights given / waived
 A ☐ Per PC1192.5
 I ☐ Time for Misdo Trial / Sent waived / not waived
 V ☐ Time for Fel PX / Trial 10 / 60 days waived / not waived
 E ☐ Time for PV - 15 / 45 days waived / not waived
 R ☒ Other Def mtn for or release - Denied.

O ☐ Obey all laws ☐ Use true name / DOB
 R ☐ Do Not use any alcohol / drugs w/o Rx
 G ☐ Attend AA / NA meetings per week and
 C ☐ present proof at each court appearance
 O ☐ Submit to search/testing for
 N ☐ Re-ref / Reinstate L1 / L2 / PCDDP
 S ☐ Not drive unless properly licensed and insured.
☐ Destroy / Return Weapon
☐ SCRAM / GPS ☐ Ordered ☐ Removed

C TRIAL: 1/18 8:20
 O 1/22 8:45 D4
 N PX:
 T PTC/SET:
 I ☐ FUTURE DATES CONFIRMED
 N ☐ Time waived to +10 / 60 days
 A ☐ Vacate date of
 M ☒ Def must need not appear 1/22
 C ☐ Trailing
 S Last Day

M ☐ Defendant held to answer at PX hearing
 O ☐ People / Def Motion to / for / cont
 T ☒ People / Def objected ☐ No action taken to
 I ☐ Granted ☒ Denied ☐ Submitted 1050.1 cont.
 O ☐ Info / Indictment/Complaint amended on its face to
 N ☐ add Ct # 1050.1 a violation of section
 S ☐ Pursuant to 23103.5 CVC
 W ☐ Substitute misdemeanor for felony where it appears
 A ☐ in Ct #
 I ☐ Per Court / DA dismiss Ct #
 V ☐ Per Court / DA dismiss Enhancements / Strikes
 E ☐ Reasons:
 R ☐ Crim. protective order issued/modified/served on
 S ☐ Deft. ☐ Victim ☐ DA
☐ Stay away from

P ☐ Court / Formal Prob. yrs. mos.
 R ☐ No Probation
 G ☐ Adult Pre-Trial / Post Plea / Diversion
 C ☐ Prob. / Div. / Parole / PRCS Reinst'd / Ext. / Modif.
 O ☐ to
 N ☐ Def given / waived rights to Revoc Hg: admits /
 S ☐ denies allegation
☐ Violation of Prob. / Div. / Parole / PRCS
☐ Prob. / Div. / Parole / PRCS revoked
☐ In re law notice given
☐ Prob. / Div / PRCS: Terminated:
☐ Successfully / Unsuccessfully / Denied
☐ A Crim. proceedings susp. / reinstated / dism.
☐ Standard terms & cond. of Probation given
☐ PC 296 sample ordered / verified
☐ Parole violation(s) sustained / not sustained

P ☐ Counsel declares doubt / ☐ Crim proc susp
 C ☐ Court appoints Dr.
 1 Purs. PC288.1 / PC1368
 3 ☐ Counsel submit on Dr / CONREP Report
 5 dated marked as EXH
 8 ☐ Court finds def competent / incompetent to
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 3 ☐ Court refers def to CONREP / Adult MH
 7 ☐ Def committed to
 0 Max term of commitment
 Local custody credits
☐ Meds voluntary / involuntary / no consent
☐ Criminal proceedings reinstated

F ☐ RF\$ [PC1202.4] ☐ Fine \$
 I ☐ Prob. Viol. Fine \$ ☐ PVRF/PRCS \$
 N ☐ [PC1202.44] suspended / imposed [PC1202.44]
 E ☐ Victim restitution \$
 S ☐ Victim restitution TBD / Not ordered
 W ☐ VCB \$
 A ☐ \$10 Cite Fee ☐ \$25 O.R. ☐ \$41 Theft fee
 I ☐ CJA govt. code 29550 et. seq. \$
 V ☐ COA \$ CCA \$
 E ☐ Lab \$ Drug Ed \$
 R ☐ Atty Fees \$ ☐ Prob. Report Fee \$
 S ☐ Pay bal. of fine / In lieu of fine / ☐ Susp. after fine
☐ hours Volunteer work by Fee \$
☐ Balance of fines / fees / rest. to remain as ordered
☐ Make payments to AllianceOne.
☐ Other

C ☐ County jail days / mos / yrs
 O ☐ days / mos / yrs credit
 M ☐ days / mos / yrs suspended
 I ☐ Sentence to commence
 T ☐ Serve consecutive / concurrent with:
 M ☐ Jail ☐ SWAP ☐ No EHD ☐ EHD
 E ☐ Release from custody to program
 N ☐ Day-for-day credit for successful completion of
 S ☐ approved day / mo / yr
☐ residential treatment program
☐ PC 290 registration ☐ SARATSO
☐ Sent. recall purs. to 1170.18 / Prop 47 dept resent.
☐ See attached additional orders

State Prison yrs mos
 County Jail yrs mos days
 Mand. Sup. yrs mos days
 CT L M U yrs mos (cc) (cs)
 CT L M U yrs mos (cc) (cs)
 CT L M U yrs mos (cc) (cs)
 CT L M U yrs mos (cc) (cs)
 ENH yrs mos
 ENH yrs mos
 ACTUAL CTS
 CONDUCT CTS
☐ 1/2 time credits
☐ Parole / PRCS advisement given
☐ Paper commitment

☒ REMANDED ☐ Court Courtesy ☐ Ordered released ☐ On OR ☐ Promise to Appear ☐ Cont'd on bond/cash bail posted ☐ Phone calls
 Bail set in the amount of \$ 1,100,000 ☐ State Prison Commitment ☐ Committed to custody until sentence is satisfied in full
 TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof.

DATED: 1/15/2019MARY A O'MALLEY

JUDGE OF THE SUPERIOR COURT

From CCG DISTRICT ATTORNEY

925 646 4174

01/11/2019 12:46

#837 P.004/011

PITT FRC
JUDGE MARY A O'MALLEY01/11/2019 8:20
DEPARTMENT 004

PAGE 3

CRENSHAW, ARTIS MALCOM 194996-5 F CUST FRC PD-ASKELAN 8:20
 CHARGES: PC 29800(a) (1)
 PC 25850(a)
 HS 11370.1(a)
 PC 148(a) (1)

Vacate

PX 01/16/19

DAIGLE, NICHOLAS CONRAD 192988-4 F CUST FRC BROOKS 8:20
 CHARGES: PC 289(d)
 PC 243.4(e) (1)
 PC 314(1)
 PC 243.4(e) (1)
 PC 647(a)

DDA: KOLKJ
UNIT: SAU

PX 01/16/19

VACATE

DEIVALLE, AMANDA LYNN-KARLEE 194037-8 F OR FRC PD-FIERRO 8:20
 CHARGES: VC 10851(a)
 PC 496D(a)

confirm

PX 01/16/19

DIALS, SEAN MIGUEL 195364-5 F CUST FRC NO ADO-YOUNG 8:20
 CHARGES: PC 29800(a) (1)
 PC 29825(a)
 PC 30305(a) (1)
 PC 417(b)
 PC 422(a)

Vacate

PX 01/16/19

ESTRADA, JOSE MANUEL-NUNEZ 192539-5 F OR FRC PD-OSBORNE 8:20
 CHARGES: VC 23153(a)
 VC 23153(b)
 VC 12500(a)

SPANISH

PX 01/15/19

Della-Piana

DIAZ, Demetria 4-195330-6
 PC 209(b)(1)

PX 1/15 AM

DDA: OCONS
UNIT: VVC

confirm

Bryant, Clezell

4-195330-6

PC 209(b)(1)

PX 1/15 AM

DDA: OCONS
UNIT: VVC

Kolk

confirm

TESLA-0001089

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
 SUPERIOR COURT OF CALIFORNIA - PITTSBURG

DOCKET NO.
 04-195330-6 02

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

PA RATE-H

DEFENDANT: BRYANT, CLENZELL DEPT. 004 DATE 1/09/2019 TIME 8:45 AM
 ADDRESS 19 ATLANTIC CIR #203 PITTSBURG CA 94565 DOB: 03/31/1976
 ROC: PX FEL PROB DEFENSE ATTORNEY EISENHART TIME NOT WAIVED
 CUSTODIAL STATUS: CUST TARGET: 1/28/19
 CHARGES: 01 F PC 209(b)(1) 02 F PC 211 06 F VC 2800.2 1021/15
60231

MINUTES CERTIFIED CORRECT

JUDGE MARY A O'MALLEY COURT REPORTER M. HAYNES CLERK D. MURGUIA
BMOT 34 JUDGE Marquez COURT REPORTER A. Weston CLERK L Beonel

<p>A P P E A R A N C E</p> <p><input checked="" type="checkbox"/> Def proceeds PRO PER <input type="checkbox"/> Appearance waived <input checked="" type="checkbox"/> Def appears <input type="checkbox"/> In Custody <input type="checkbox"/> Def not appearing <input type="checkbox"/> With / by Atty / Pub Def / ADO <input type="checkbox"/> Deputy District Atty <input type="checkbox"/> Court Probation Officer <input type="checkbox"/> Interp. <input type="checkbox"/> cert. <input type="checkbox"/> non-cert. sworn / oath on file / qualified per Rule 2.893 <input type="checkbox"/> Order <input type="checkbox"/> Interp. <input type="checkbox"/> Coord. Notified <input type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified <input type="checkbox"/> PD / ADO / PVT <input type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd <input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p>	<p>A R R E S T</p> <p>Handed copy of: <input type="checkbox"/> Petition to Revoke <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / GJ transcript <input type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study <input type="checkbox"/> Formal arraignment waived / Reading of Compl. <input type="checkbox"/> Duly arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol. <input type="checkbox"/> Answers true name as charged <input type="checkbox"/> Deny enhancements <input type="checkbox"/> Plea of not guilty entered <input type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed</p>	<p>W A R R A N T</p> <p><input type="checkbox"/> Bench Warrant to issue <input type="checkbox"/> Bail set at \$ <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app <input type="checkbox"/> Hold until <input type="checkbox"/> Bail forfeited & continued 190 days <input type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out <input type="checkbox"/> Bail exonerated <input type="checkbox"/> Bail forfeiture set aside & reinstated upon payment of fee \$</p>
<p>P L E A S / W A I V E R S</p> <p><input type="checkbox"/> Written plea filed <input type="checkbox"/> Pleads Guilty, Ct. # <input type="checkbox"/> Pleads no contest, Found Guilty Ct # <input type="checkbox"/> Pleads Not guilty / Found Not guilty by reason of insanity <input type="checkbox"/> Admits / denies: priors / enhancements / strikes <input type="checkbox"/> Rights given / waived <input type="checkbox"/> App. Rights given / waived <input type="checkbox"/> Per PC1192.5 <input type="checkbox"/> Time for Misdo Trial / Sent waived / not waived <input type="checkbox"/> Time for Fel PX / Trial 10 / 60 days waived / not waived <input type="checkbox"/> Time for PV - 15 / 45 days waived / not waived <input checked="" type="checkbox"/> Other: <u>ADA states victim has not been provided notice + has</u> <u>need waive notice. Court does not believe notice has</u></p>	<p>O R D E R</p> <p><input type="checkbox"/> Obey all laws <input type="checkbox"/> Use true name / DOB <input type="checkbox"/> Do Not use any alcohol / drugs w/o Rx <input type="checkbox"/> Attend AA / NA meetings per week and present proof at each court appearance <input type="checkbox"/> Submit to search/testing for <input type="checkbox"/> Re-ref / Reinstate L1 / L2 / PCDDP <input type="checkbox"/> Not drive unless properly licensed and insured. <input type="checkbox"/> Destroy / Return Weapon <input type="checkbox"/> SCRAM / GRS <input type="checkbox"/> Ordered <input type="checkbox"/> Removed</p>	<p>C O U R T</p> <p>TRIAL: <u>1/11 8:20</u> <u>1/15 8:45 04</u> <u>BMOT 115 945 D4</u> <input type="checkbox"/> FUTURE DATES CONFIRMED <input type="checkbox"/> Time waived to +10 / 60 days <input type="checkbox"/> Vacate date of <input checked="" type="checkbox"/> Def must / need not appear <u>1/15</u> <input type="checkbox"/> Trialing Last Day</p>
<p>M O T I O N S / O R D E R S</p> <p><input type="checkbox"/> Defendant held to answer at PX hearing <input checked="" type="checkbox"/> People / Def Motion to / for / cont <u>BMOT</u> <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken <input type="checkbox"/> Granted / Denied <input type="checkbox"/> Submitted <input type="checkbox"/> Info / Indictment/Complaint amended on its face to add # <u>to comply w/ notice</u> <input type="checkbox"/> Pursuant to 2.1035 CVC <input type="checkbox"/> Substitute misdemeanor for felony where it appears in Ct. <input type="checkbox"/> Per Court / DA dismiss Ct # <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes Reasons: <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Defendant victim / DA <input type="checkbox"/> Stay away from <u>A co responds + objects</u> <u>counsel are unavailable</u> <u>this afternoon.</u></p>	<p>P R O B A T I O N</p> <p><input type="checkbox"/> Court / Formal Prob <u>can be waived.</u> <input type="checkbox"/> No Probation <input type="checkbox"/> Adult Pre-Trial / Post Plea / Diversion <input type="checkbox"/> Prob. / Div. / Parole / PRCS Reinst'd / Ext. / Modif. to <input type="checkbox"/> Def given / waived rights to Revoc Hg: admits / denies allegation <input type="checkbox"/> Violation of Prob. / Div. / Parole / PRCS <input type="checkbox"/> Prob. / Div. / Parole / PRCS revoked <input type="checkbox"/> Law notice given <input type="checkbox"/> Prob. / Div. / PRCS: Terminated: Successfully / Unsuccessfully / Denied <input type="checkbox"/> Criminal proceedings susp. / reinstated / dism. <input type="checkbox"/> Standard terms & cond. of Probation given <input type="checkbox"/> PC 296 sample ordered / verified <input type="checkbox"/> Parole violation(s) sustained / not sustained</p>	<p>P R O B A T I O N</p> <p><input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp <input type="checkbox"/> Court appoints Dr. Purs. PC288.1 / PC1368 <input type="checkbox"/> Counsel submit on Dr / CONREP Report dated marked as EXH <input type="checkbox"/> Court finds def competent / incompetent to stand trial <input type="checkbox"/> Court refers def to CONREP / Adult MH <input type="checkbox"/> Def committed to Max term of commitment Local custody credits <input type="checkbox"/> Meds voluntary / involuntary / no consent <input type="checkbox"/> Criminal proceedings reinstated</p>
<p>F I N E S / F E E S</p> <p><input type="checkbox"/> RF\$ [PC1202.4] <input type="checkbox"/> Fine \$ <input type="checkbox"/> Prob. Viol. Fine \$ <input type="checkbox"/> PVRF/PRCS \$ [PC1202.44] suspended / imposed [PC1202.44] <input type="checkbox"/> Victim restitution \$ <input type="checkbox"/> Victim restitution TBD / Not ordered <input type="checkbox"/> VCB \$ <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ COA \$ CCA \$ Lab \$ Drug Ed \$ Atty Fees \$ <input type="checkbox"/> Prob. Report Fee \$ <input type="checkbox"/> Pay bal. of fine / <input type="checkbox"/> In lieu of fine / <input type="checkbox"/> Susp. after fine <input type="checkbox"/> hours Volunteer work by Fee \$ <input type="checkbox"/> Balance of fines / fees / rest. to remain as ordered <input type="checkbox"/> Make payments to AllianceOne. <input type="checkbox"/> Other</p>	<p>C O U N T Y</p> <p><input type="checkbox"/> County jail days / mos / yrs <input type="checkbox"/> days / mos / yrs credit <input type="checkbox"/> days / mos / yrs suspended <input type="checkbox"/> Sentence to commence <input type="checkbox"/> Serve consecutive / concurrent with: <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD <input type="checkbox"/> Release from custody to program <input type="checkbox"/> Day-for-day credit for successful completion of approved day / mo / yr residential treatment program <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO <input type="checkbox"/> Sent. recall purs. to 1170.18 / Prop 47 dept resent. <input type="checkbox"/> See attached additional orders</p>	<p>State Prison yrs mos County Jail yrs mos days Mand. Sup. yrs mos days CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) ENH yrs mos ENH yrs mos ACTUAL CTS CONDUCT CTS <input type="checkbox"/> 1/2 time credits <input type="checkbox"/> Parole / PRCS advisement given <input type="checkbox"/> Paper commitment</p>
<p><input checked="" type="checkbox"/> REMANDED <input type="checkbox"/> Court Courtesy <input type="checkbox"/> Ordered released <input type="checkbox"/> On OR <input type="checkbox"/> Promise to Appear <input type="checkbox"/> Cont'd on bond/cash bail posted <input type="checkbox"/> Phone calls Bail set in the amount of \$ <u>1,100,000</u> <input type="checkbox"/> State Prison Commitment <input type="checkbox"/> Committed to custody until sentence is satisfied in full TO THE SHERIFF. COMMITMENT! I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof. DATED: <u>1/09/2019</u> <u>MARY A O'MALLEY</u> JUDGE OF THE SUPERIOR COURT</p>		

See back of form for additional information

WHITE - Court GREEN - Jail (if in custody) CANARY - Defendant PINK - Probation GOLDENROD - CCU

CR-3013 (Rev. 9/8/17)

TESLA-0001090

From: CCC DISTRICT ATTORNEY

925 646 4174

01/04/2019 12:07

#815 P 004/008

PITT FRC
JUDGE MARY A O'MALLEY01/04/2019 8:20
DEPARTMENT 004

PAGE 3

DIAZ, DEMETRIC 195330-6 F CUST FRC NO PD-DELLA-P 8:20

CHARGES: PC 209(b) (1)
PC 211
PC 245(a) (2)
PC 245(a) (2)
PC 245(a) (2)

[VVC]

PX 01/09/19

CONFIRM

BRYANT, CLENZELL 195330-6 F CUST FRC NO EISENHART 8:20

2 CHARGES: PC 209(b) (1)
2 PC 211
2 VC 2800.2
2
2

[VVC]

ADD KULUK

PX 01/09/19

CONFIRM

DUNN, STEPHAN CHRISTOPHER 194185-5 F OR FRC ADO-YOUNG 8:20

CHARGES: VC 23153(a)
VC 23153(b)

VACATE

PX 01/08/19

FRAIRE, ROBERTO ZUNIGA 191495-1 F CUST FRC PD-DELLA-P 8:20

CHARGES: VC 23152(a) & 235
VC 23152(b) & 235
VC 14601.2(a)
VC 23247(e)

SPANISH

PX 01/09/19

CONFIRM

GARCIA, JULIO CESAR 191995-0 F CUST FRC MORRIS 8:20

CHARGES: PC 246
PC 246.3(a)
PC 29800(a) (1)
PC 496(a)

PX 01/08/19

VACATE

TESLA-0001091

SUPERIOR COURT, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
 SUPERIOR COURT OF CALIFORNIA PITTSBURG

DOCKET NO. 04-195330-6 02

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

PA RATE-H

DEFENDANT: BRYANT, CLENZELL DEPT. 034 DATE 12/31/2018 TIME 8:45 AM
 ADDRESS 19 ATLANTIC CIR #203 PITTSBURG CA 94565 DOB: 03/31/1996
 ROC: ARR FEL PROB DEFENSE ATTORNEY ADD TIME TARGET: 1/26
 CUSTODIAL STATUS: CUST
 CHARGES: 01 F PC 209(b)(1) 02 F PC 211 06 F VC 2800.2

Department 26
 Judge Judy Johnson
 JUDGE LEONARD MARQUEZ Clerk: Jocelyn Lam COURT REPORTER D.B. THOMPSON CLERK L. BECNEL
 ASSIGN TO DEPT. JUDGE Reporter: Priscilla Gwallney, CSR#4346 COURT REPORTER CLERK 10-1/15 60-2/1

MINUTES CERTIFIED CORRECT

<input type="checkbox"/> Def proceeds PRO PER <input type="checkbox"/> Appearance waived <input checked="" type="checkbox"/> Def appears <input checked="" type="checkbox"/> In Custody <input type="checkbox"/> Def not appearing <input checked="" type="checkbox"/> With / by Atty / Prob / DA / ADO <input type="checkbox"/> Deputy District Atty <u>Chatepalli</u> <input type="checkbox"/> Court Probation Officer <input type="checkbox"/> Interp. <input type="checkbox"/> cert. <input type="checkbox"/> non-cert. <input type="checkbox"/> sworn / oath on file / qualified per Rule 2.893 <input type="checkbox"/> Order <input type="checkbox"/> Interp. <input type="checkbox"/> Coord. Notified <input type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified <input type="checkbox"/> PD / ADO / PVT <input type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd <input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied	<input type="checkbox"/> Handed copy of: <input type="checkbox"/> Petition to Revoke <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / GJ transcript <input type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study <input checked="" type="checkbox"/> Formal arraignment waived / Reading of Compl. <input type="checkbox"/> Duly arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol. <input type="checkbox"/> Answers true name as charged <input type="checkbox"/> Deny enhancements <input checked="" type="checkbox"/> Plea of not guilty entered <input type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed	<input type="checkbox"/> Bench Warrant to issue <input type="checkbox"/> Bail set at \$ <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app <input type="checkbox"/> Hold until <input type="checkbox"/> Bail forfeited & continued 190 days <input type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out <input type="checkbox"/> Bail exonerated <input type="checkbox"/> Bail forfeiture set aside & reinstated upon payment of fees
<input type="checkbox"/> Written plea filed <input type="checkbox"/> Pleads Guilty, Ct. # <input type="checkbox"/> Pleads no contest, Found Guilty Ct # <input type="checkbox"/> Pleads Not guilty / Found Not guilty by reason of insanity <input type="checkbox"/> Admits / denies: priors / enhancements / strikes <input type="checkbox"/> Rights given / waived <input type="checkbox"/> App. Rights given / waived <input type="checkbox"/> Per PC1192.5 <input type="checkbox"/> Time for Misd Trial / Sent waived / not waived <input type="checkbox"/> Time for Fel PX / Trial 10 / 60 days waived / not waived <input type="checkbox"/> Time for PV - 15 / 45 days waived / not waived <input type="checkbox"/> Other <u>ADO authorizes Ct to review police report</u>	<input type="checkbox"/> Obey all laws <input type="checkbox"/> Use true name / DOB <input type="checkbox"/> Do Not use any alcohol / drugs w/o Rx <input type="checkbox"/> Attend AA / NA meetings per week and present proof at each court appearance <input type="checkbox"/> Submit to search/testing for <input type="checkbox"/> Re-ref / Reinstate L1 / L2 / PCDDP <input type="checkbox"/> Not drive unless properly licensed and insured. <input type="checkbox"/> Destroy / Return Weapon <input type="checkbox"/> SCRAM / GPS <input type="checkbox"/> Ordered <input type="checkbox"/> Removed	TRIAL: REPORTER: <u>11/9/19 8:45</u> PX PTC/SET: <u>DA PITT</u> <input type="checkbox"/> FUTURE DATES CONFIRMED <input type="checkbox"/> Time waived to +10 / 60 days <input type="checkbox"/> Vacate date of <input type="checkbox"/> Def must / need not appear <input type="checkbox"/> Trailing Last Day <u>10-1/15</u> <u>PV only</u>

<input type="checkbox"/> Defendant held to answer at PX hearing <input type="checkbox"/> People / Def Motion for / cont <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted <input type="checkbox"/> Info / Indictment/Complaint amended on its face to add Ct # <input type="checkbox"/> Pursuant to 23103.5 CVC <input type="checkbox"/> Substitute misdemeanor for felony where it appears in Ct # <input type="checkbox"/> Per Court / DA dismiss Ct # <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes Reasons: <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Def. <input type="checkbox"/> Victim <input type="checkbox"/> DA <input type="checkbox"/> Stay away from	<input type="checkbox"/> Court / Formal Prob. yrs. mos. <input type="checkbox"/> No Probation <input type="checkbox"/> Adult Pre-Trial / Post Plea / Diversion <input type="checkbox"/> Prob. / Div. / Parole / PRCS Reinst'd / Ext. / Modif. to <input type="checkbox"/> Def given / waived rights to Revoc Hg: admits / denies allegation <input type="checkbox"/> Violation of Prob. / Div. / Parole / PRCS <input type="checkbox"/> Prob. / Div. / Parole / PRCS revoked <input type="checkbox"/> In re law notice given <input type="checkbox"/> Prob. / Div / PRCS: Terminated: Successfully / Unsuccessfully / Denied <input type="checkbox"/> Crim. proceedings susp. / reinstated / dism. <input type="checkbox"/> Standard terms & cond. of Probation given <input type="checkbox"/> PC 296 sample ordered / verified <input type="checkbox"/> Parole violation(s) sustained / not sustained	<input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp <input type="checkbox"/> Court appoints Dr. Purs. PC288.1 / PC1368 <input type="checkbox"/> Counsel submit on Dr / CONREP Report dated marked as EXH <input type="checkbox"/> Court finds def competent / incompetent to stand trial <input type="checkbox"/> Court refers def to CONREP / Adult MH <input type="checkbox"/> Def committed to Max term of commitment Local custody credits <input type="checkbox"/> Meds voluntary / involuntary / no consent <input type="checkbox"/> Criminal proceedings reinstated
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<input type="checkbox"/> RF\$ <input type="checkbox"/> [PC1202.4] <input type="checkbox"/> Fine \$ <input type="checkbox"/> Prob. Viol. Fine \$ <input type="checkbox"/> PVR/PRCS \$ <input type="checkbox"/> [PC1202.44] suspended / imposed [PC1202.44] <input type="checkbox"/> Victim restitution \$ <input type="checkbox"/> Victim restitution TBD / Not ordered <input type="checkbox"/> VCB \$ <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ <input type="checkbox"/> COA \$ <input type="checkbox"/> CCA \$ <input type="checkbox"/> Lab \$ <input type="checkbox"/> Drug Ed \$ <input type="checkbox"/> Atty Fees \$ <input type="checkbox"/> Prob. Report Fee \$ <input type="checkbox"/> Pay bal. of fine/ LJ In lieu of fine/ <input type="checkbox"/> Susp. after fine <input type="checkbox"/> hours Volunteer work by Fee \$ <input type="checkbox"/> Balance of fines / fees / rest. to remain as ordered <input type="checkbox"/> Make payments to AllianceOne. <input type="checkbox"/> Other	<input type="checkbox"/> County jail days / mos / yrs <input type="checkbox"/> days / mos / yrs credit <input type="checkbox"/> days / mos / yrs suspended <input type="checkbox"/> Sentence to commence <input type="checkbox"/> Serve consecutive / concurrent with: <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD <input type="checkbox"/> Release from custody to program <input type="checkbox"/> Day-for-day credit for successful completion of approved day / mo / yr residential treatment program <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO <input type="checkbox"/> Sent. recall purs. to 1170.18 / Prop 47 dept resent. <input type="checkbox"/> See attached additional orders	State Prison yrs mos County Jail yrs mos days Mand. Sup. yrs mos days CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) ENH yrs mos ENH yrs mos ACTUAL CTS CONDUCT CTS <input type="checkbox"/> 1/2 time credits <input type="checkbox"/> Parole / PRCS advisement given <input type="checkbox"/> Paper commitment
---	--	---

☒ REMANDED ☐ Court/Courtesy ☐ Ordered released ☐ On OR ☐ Promise to Appear ☐ Cont'd on bond/cash bail posted ☐ Phone calls
 Bail set in the amount of \$ 1,100,000 ☐ State Prison Commitment ☐ Committed to custody until sentence is satisfied in full
 TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof.
 DATED 12/31/2018 LEONARD MARQUEZ
 JUDGE OF THE SUPERIOR COURT

See back of form for additional information.

WHITE - Court GREEN - Jail (if in custody) CANARY - Defendant PINK - Probation GOLDENROD CCU

CR 3013 (Rev. 9/8/17)

TESLA-0001092

SUPERIOR COURT. COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
 SUPERIOR COURT OF CALIFORNIA PITTSBURG

DOCKET NO.
 04-195330-6 02

FELONY AND MISDEMEANOR CLERK'S DOCKET AND MINUTES

PA RATE-H

DEFENDANT BRYANT, CLENZELL DEPT. 034 DATE 12/28/2018 TIME 8:45 AM
 ADDRESS 19 ATLANTIC CIR #203 PITTSBURG CA 94565 DOB: 03/31/1996
 ROC: ARR FEL PROB DEFENSE ATTORNEY TIME WAIVED
 CUSTODIAL STATUS: WARR
 CHARGES: 01 F PC 209(b)(1) 02 F PC 211 06 F VC 2800.2

E BJ Enea CSR#2599 MINUTES CERTIFIED CORRECT

JUDGE LEONARD MARQUEZ COURT REPORTER D.B. THOMPSON CLERK L. BECNEL
 ASSIGN TO DEPT. JUDGE COURT REPORTER CLERK

<p>A <input type="checkbox"/> Def proceeds PRO PER <input type="checkbox"/> Appearance waived P <input checked="" type="checkbox"/> Def appears <input checked="" type="checkbox"/> In Custody <input type="checkbox"/> Def not appearing E <input checked="" type="checkbox"/> With / by Atty <u>Pub Def</u> <u>ADO</u> <u>Banks</u> A <input checked="" type="checkbox"/> Deputy District Atty <u>Tompkins</u> R <input type="checkbox"/> Court Probation Officer A <input type="checkbox"/> Interp. <input type="checkbox"/> cert. <input type="checkbox"/> non-cert. N <input type="checkbox"/> sworn / oath on file / qualified per Rule 2.893 C <input type="checkbox"/> Order <input type="checkbox"/> Interp. <input type="checkbox"/> Coord. Notified E <input type="checkbox"/> Refer to PD / PROB B Study / PPR / <input type="checkbox"/> Confl. Notified <input type="checkbox"/> PD / ADO / PVT <input type="checkbox"/> accepts <input type="checkbox"/> relieved <input type="checkbox"/> appt'd <input type="checkbox"/> 170.6 / 171 PC filed / Order <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p>	<p>A Handed copy of: <input type="checkbox"/> Petition to Revoke R <input type="checkbox"/> Information / Indictment <input type="checkbox"/> PX / GJ transcript R <input checked="" type="checkbox"/> Complaint/Discovery <input type="checkbox"/> Bail Study A <input type="checkbox"/> Formal arraignment waived / Reading of Compl. I <input type="checkbox"/> Duly arraigned <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Viol. G <input type="checkbox"/> Answers true name as charged N <input type="checkbox"/> Deny enhancements W <input type="checkbox"/> Plea of not guilty entered E <input type="checkbox"/> Time not waived <input type="checkbox"/> PC977 waiver filed</p>	<p>W <input type="checkbox"/> Bench Warrant to issue A Bail set at \$ R <input type="checkbox"/> No Cite/PTA release <input type="checkbox"/> No vol app A <input type="checkbox"/> Hold until N <input type="checkbox"/> Bail forfeited & continued 190 days T <input checked="" type="checkbox"/> Recalled <input type="checkbox"/> Set aside <input type="checkbox"/> Remain out B <input type="checkbox"/> Bail exonerated A <input type="checkbox"/> Bail forfeiture set aside & reinstated I upon payment of fee \$ L</p>
<p>P <input type="checkbox"/> Written plea filed <input type="checkbox"/> Pleads Guilty, Ct. # L <input type="checkbox"/> Pleads no contest, Found Guilty Ct # E <input type="checkbox"/> Pleads Not guilty / Found Not guilty by reason of insanity A <input type="checkbox"/> Admits / denies: priors / enhancements / strikes S <input type="checkbox"/> Rights given / waived <input type="checkbox"/> App. Rights given / waived / <input type="checkbox"/> Per PC1192.5 W <input type="checkbox"/> Time for Misd Trial / Sent waived / not waived A <input type="checkbox"/> Time for Fel PX / Trial 10 / 60 days waived / not waived I <input type="checkbox"/> Time for PV - 15 / 45 days waived / not waived V <input checked="" type="checkbox"/> Other <u>PD has conflict</u> E <input type="checkbox"/> Other</p>	<p>O <input type="checkbox"/> Obey all laws <input type="checkbox"/> Use true name / DOB R <input type="checkbox"/> Do not use any alcohol / drugs w/o Rx C <input type="checkbox"/> Attend AA / NA meetings per week and O present proof at each court appearance M <input type="checkbox"/> Submit to search/testing for D <input type="checkbox"/> Re-ref / Reinstate L1 / L2 / PGDDP S <input type="checkbox"/> Not drive unless properly licensed and insured. <input type="checkbox"/> Destroy / Return Weapon <input type="checkbox"/> SCRAM / GPS <input type="checkbox"/> Ordered <input type="checkbox"/> Removed</p>	<p>C TRIAL: O RC/RCR: N PX: T PTC/SET: <u>ARR 12/31 845 D34</u> I <input type="checkbox"/> FUTURE DATES CONFIRMED N <input type="checkbox"/> Time waived to +10 / 60 days A <input type="checkbox"/> Vacate date of C <input checked="" type="checkbox"/> De must need not appear E <input type="checkbox"/> Trailing S Last Day</p>
<p>M <input type="checkbox"/> Defendant held to answer at PX hearing O <input type="checkbox"/> People / Def Motion to / for / cont T <input type="checkbox"/> People / Def objected <input type="checkbox"/> No action taken I <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted O <input type="checkbox"/> Info / Indictment/Complaint amended on its face to N add Ct # a violation of section S <input type="checkbox"/> Fel / Misd / <input type="checkbox"/> Pursuant to 23103.5 CVC O <input type="checkbox"/> Substitute misdemeanor for felony where it appears R in Ct # D <input type="checkbox"/> Per Court / DA dismiss Ct # E <input type="checkbox"/> Per Court / DA dismiss Enhancements / Strikes S Reasons: <input type="checkbox"/> Crim. protective order issued/modified/served on <input type="checkbox"/> Deft. <input type="checkbox"/> Victim <input type="checkbox"/> DA <input type="checkbox"/> Stay away from</p>	<p>P <input type="checkbox"/> Court / Formal Prob. yrs. mos. R <input type="checkbox"/> No Probation O <input type="checkbox"/> Adult Pre-Trial / Post Plea / Diversion B <input type="checkbox"/> Prob. / Div. / Parole / PRCS Reinst'd / Ext. / Modif. A to T <input type="checkbox"/> Def given / waived rights to Revoc Hg: admits / I denies allegation O <input type="checkbox"/> Violation of Prob. / Div. / Parole / PRCS N <input type="checkbox"/> Prob. / Div. / Parole / PRCS revoked D <input type="checkbox"/> In re law notice given I <input type="checkbox"/> Prob. / Div / PRCS: Terminated: V Successfully / Unsuccessfully / Denied P <input type="checkbox"/> Crim. proceedings susp. / reinstated / dism. A <input type="checkbox"/> Standard terms & cond. of Probation given R <input type="checkbox"/> PC 296 sample ordered / verified O <input type="checkbox"/> Parole violation(s) sustained / not sustained L E</p>	<p>P <input type="checkbox"/> Counsel declares doubt / <input type="checkbox"/> Crim proc susp C <input type="checkbox"/> Court appoints Dr. 1 Purs. PC288.1 / PC1368 3 <input type="checkbox"/> Counsel submit on Dr / CONREP Report 6 dated marked as EXH. 8 <input type="checkbox"/> Court finds def competent / incompetent to 1 stand trial 3 <input type="checkbox"/> Court refers def to CONREP / Adult MH 7 <input type="checkbox"/> Def committed to 0 Max term of commitment Local custody credits <input type="checkbox"/> Meds voluntary / involuntary / no consent <input type="checkbox"/> Criminal proceedings reinstated</p>
<p>F <input type="checkbox"/> RF\$ [PC1202.4] <input type="checkbox"/> Fine \$ I <input type="checkbox"/> Prob. Viol. Fine \$ <input type="checkbox"/> PVR/PRCS \$ N [PC1202.44] suspended / imposed [PC1202.44] S <input type="checkbox"/> Victim restitution \$ E <input type="checkbox"/> Victim restitution TBD / Not ordered S <input type="checkbox"/> VCB \$ / <input type="checkbox"/> \$10 Cite Fee <input type="checkbox"/> \$25 O.R. <input type="checkbox"/> \$41 Theft fee F <input type="checkbox"/> CJA govt. code 29550 et. seq. \$ E <input type="checkbox"/> COA \$ <input type="checkbox"/> CCA \$ E <input type="checkbox"/> Lab \$ <input type="checkbox"/> Drug Ed \$ <input type="checkbox"/> Atty Fees \$ <input type="checkbox"/> Prob. Report Fee \$ <input type="checkbox"/> Pay bal. of fine/ <input type="checkbox"/> In lieu of fine/ <input type="checkbox"/> Susp. after fine <input type="checkbox"/> hours Volunteer work by Fee \$ <input type="checkbox"/> Balance of fines / fees / rest. to remain as ordered <input type="checkbox"/> Make payments to AllianceOne. <input type="checkbox"/> Other</p>	<p>C <input type="checkbox"/> County jail days / mos / yrs O <input type="checkbox"/> days / mos / yrs credit M <input type="checkbox"/> days / mos / yrs suspended I <input type="checkbox"/> Sentence to commence T <input type="checkbox"/> Serve consecutive / concurrent with: M E <input type="checkbox"/> Jail <input type="checkbox"/> SWAP <input type="checkbox"/> No EHD <input type="checkbox"/> EHD N <input type="checkbox"/> Release from custody to program T <input type="checkbox"/> Day-for-day credit for successful completion of S approved day / mo / yr <input type="checkbox"/> residential treatment program <input type="checkbox"/> PC 290 registration <input type="checkbox"/> SARATSO <input type="checkbox"/> Sent. recall purs. to 1170.18 / Prop 47 dept resent. <input type="checkbox"/> See attached additional orders</p>	<p>State Prison yrs mos County Jail yrs mos days Mand. Sup. yrs mos days CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) CT L M U yrs mos (cc) (cs) ENH yrs mos ENH yrs mos ACTUAL CTS CONDUCT CTS <input type="checkbox"/> 1/2 time credits <input type="checkbox"/> Parole / PRCS advisement given <input type="checkbox"/> Paper commitment</p>
<p><input checked="" type="checkbox"/> REMANDED <input type="checkbox"/> Court Custody <input type="checkbox"/> Ordered released <input type="checkbox"/> On OR <input type="checkbox"/> Promise to Appear <input type="checkbox"/> Cont'd on bond/cash bail posted <input type="checkbox"/> Phone calls Bail set in the amount of \$ <u>1,100,000</u> <input type="checkbox"/> State Prison Commitment <input type="checkbox"/> Committed to custody until sentence is satisfied in full TO THE SHERIFF: COMMITMENT: I certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof. DATED <u>12/28/2018</u> <u>LEONARD MARQUEZ</u> JUDGE OF THE SUPERIOR COURT</p>		

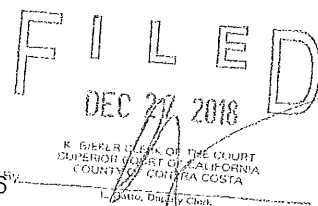
See back of form for additional information.

WHITE - Court GREEN - Jail (if in custody) CANARY - Defendant PINK - Probation GOLDENROD - CCU

CR-3013 (Rev 9/8/17)

TESLA-0001093

Superior Court of California
County Of Contra Costa



THE PEOPLE OF THE STATE OF CALIFORNIA,

No.04-195330-6

vs.

DECLARATION IN SUPPORT
OF WARRANT FOR ARREST

CLENZELL BRYANT.

The Undersigned Declares:

Affiant holds the position of Officer, with the Brentwood Police Department, who has reviewed the reports of an official police investigation into the above entitled cause. Attached hereto and incorporated herein by reference as if fully set forth are copies of the documents, referenced below, related to that investigation.

<u>Police Agency</u>	<u>Case Number</u>
Brentwood Police Department	18-6244

The above referenced documents were prepared in the ordinary course of business of the investigating agency, and pursuant to the sworn duty of the subscribing officers. Affiant is informed and believes that the above referenced defendant committed the offense[s] alleged in the accompanying complaint in the manner and by the means as set forth in said complaint and in said incorporated documents, and prays:

- (X) That A Warrant Be Issued For The Arrest Of Said Defendant
- (X) Defendant Be Held In-Custody Until Bail Is Posted

I declare under penalty of perjury that the foregoing is true and correct.

Date: December 26, 2018

~~Officer Barrera, Badge # 598~~
P.R. PERKINS, # 478

ORDER

The Court finds, based on the foregoing declaration and accompanying complaint, that there is probable cause to believe the above named defendant committed the crime[s] alleged in that complaint, and orders:

- ☒ A Warrant Be Issued For The Arrest Of Said Defendant
- ☒ Defendant Be Held In-Custody Until Bail Is Posted
- ☒ The Defendant Is To Be Admitted To Bail In The Sum Of \$ 1,100,000 Dollars.

Date: DEC 27 2018

Judge of the Superior Court
Contra Costa County

SUPERIOR COURT COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA
PITTSBURG

CLERKS DOCKET AND MINUTES

REV CODE 04421

CASE NO: 195330 6 02

THE PEOPLE OF THE STATE OF CALIFORNIA

CO-DEFENDANTS

Vs.

CLENZELL BRYANT
19 ATLANTIC CIR #203
PITTSBURG CA 94565

1 DEMETRIC DIAZ

DATE OF BIRTH: 03/31/96

D/L F7563776 CA

DATE

CHARGES

12/27/18 : COMPLAINT FILED, SWORN TO BY OFC BARRERA 36 CHARGING
 : DEFENDANT (S) WITH HAVING COMMITTED ON OR ABOUT 12/21/18
 : A FELONY TO WIT: A VIOLATION OF SECTION(S)
 : 1 PC 209(b)(1) KIDNAPPING TO COMMIT ANOTHER CRIME
 : 2 PC 211 SECOND DEGREE ROBBERY
 : 6 VC 2800.2 EVADING PEACE OFFICER/DRIVE IN RECKLESS
 : MANNER

JUDGE :

PROCEEDINGS

: SET FOR ARR ON 12/28/18 AT 8:45

: DOCKET: COF PURPLE

____ \$10 (SIGNED CITE)

____ \$25 (BOOKING FEE)

____ \$50 (CJA FEE)

____ SERVE PROTECTIVE ORDER

____ CCA FEE (\$30 / \$35 PER CONV)

____ SECURITY FEE (\$40 PER CONV)

TESLA-0001095

Superior Court of California, County of Contra Costa

BOOKING FEE REIMBURSEMENT NOTICE

To Be Completed by Arresting Agency: Defendant's Name: <u>Bryant, Clenzell</u> Arresting Agency: <u>Brentwood Police Department</u> Arresting Agency's Contact Phone No.: <u>(925) 634-6911</u> CJA Fee Incurred Under Booking No.: <u>CC18KUL602</u> Verified By: <u>568</u> Name & Title: <u>T. Thomas - Records Clerk</u> <small>(PLEASE PRINT)</small>		<input checked="" type="checkbox"/> Brentwood <u>1806244</u> <input type="checkbox"/> CHP <input type="checkbox"/> Danville <input type="checkbox"/> East Bay Reg. Parks <input type="checkbox"/> El Cerrito <input type="checkbox"/> Lafayette <input type="checkbox"/> Oakley <input type="checkbox"/> Orinda <input type="checkbox"/> San Ramon <input type="checkbox"/> Sheriff <input type="checkbox"/> Walnut Creek
To Be Completed by the Court: Court Case No.: <u>4-195330-6-02</u> Sentenced: _____ Amount: <u>\$ 564. -</u>		

**INFORMATION FOR DEFENDANTS REGARDING
ASSESSMENT OF A CRIMINAL JUSTICE ADMINISTRATION FEE**

Following your conviction, the Court has ordered that you reimburse the local arresting agency for fingerprinting and booking costs incurred on your behalf in the above action pursuant to Section 29550 of the Government Code.

- ☐ YOU HAVE NOT BEEN ORDERED TO SERVE JAIL OR OTHER CUSTODY TIME.

Contact AllianceOne at (877) 541-8420 to make a payment in full or to arrange a payment plan.

- ☐ YOU HAVE BEEN ORDERED TO SERVE JAIL OR OTHER CUSTODY TIME.

You must pay the amount designated above within 20 working days after release from jail/state prison/other facility. Upon your release from custody, you must contact AllianceOne at (877) 541-8420.

If you believe you have insufficient assets to pay this fee you may request a hearing where the Court will make a determination of your ability to pay all or a portion of this fee. If you wish to have a hearing, you must notify the Court or your attorney. At that hearing you will have the right to counsel, to present evidence and confront and cross examine witnesses. In addition, the court will order you to appear before a Financial Evaluation Officer who will make an inquiry regarding your ability to pay this fee and make a recommendation to the Court about your ability to pay. If you fail to contact the Financial Evaluation Officer, you waive your right to a hearing.

Contact the Court Collections Unit (CCU) regarding your ability to pay: (925) 608-2605

DISTRIBUTION: ORIGINAL – Court CANARY – Defendant PINK – Court File GOLDENROD – Arresting Agency

Next court date: 12/31/2018
Time: 08:45
Dept.: 34

1 Robin Lipetzky, State Bar # 124769
2 Public Defender, Contra Costa County
3 By: ROBIN LIPETZKY, Public Defender
4 800 Ferry Street
5 Martinez, California 94553-1626
6 Telephone: (925) 335-8000

FILED
DEC 31 2018

K. BIEKER CLERK OF THE COURT
SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA
By: [Signature]
S. Mann, Deputy Clerk

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF CONTRA COSTA

145A 5-196194-2

10 THE PEOPLE OF THE STATE OF CALIFORNIA

No: 04-195330-6

11 v.

CASE TRANSFER TO ALTERNATE
DEFENDER OFFICE

12 CLENZELL BRYANT,

PD File No. M18D-3278

13 Defendant/

Case type: FEL

14 ROBIN LIPETZKY states that:

15 She/He is a Deputy Public Defender in the County of Contra Costa, State of California; the Public
16 Defender's Office or Cost Recovery has taken a financial statement signed by the above-named applicant
17 for representation; and, that it appears from said statement that applicant is not financially able to
18 employ counsel. The Public Defender's Office accepts representation of the above-named defendant.

19 In order to avoid a conflict of interest or for administrative reasons, this case is being transferred
20 to the Contra Costa County Alternate Defender Office, an autonomous branch in the Office of the Public
21 Defender.

22 I declare under penalty of perjury that the forgoing is true and correct.

23
24 Dated: DECEMBER 28, 2018 at MARTINEZ, CALIFORNIA

25
26 [Signature]
27

28 Public Defender

PD TRANSFER NO: M39469

FINANCIAL CASUALTY & SURETY, INC.

The Bail Insurance Company (fcs)
 3131 EASTSIDE # 600 (P. O. Box 4479)
 HOUSTON, TEXAS 77098 (Houston, TX 77210-4479)
 877.737.2245 ☐ Fax 713.580.6401

Absolute Bail Bonds
 45100 Yucca Ave.
 Lancaster, CA 93584
 (800) 793-2245
 AEAPP
 Lic. #BA1841120

FILED
 JAN 29 2019
 K. BAKER, CLERK OF THE COURT
 SUPERIOR COURT OF CALIFORNIA
 COUNTY OF CONTRA COSTA
 K. BAKER, Deputy Clerk

(PLACE BAIL AGENT'S ADDRESS STAMP HERE)

BAIL BONDNO. FC3800-1946577

(POWER OF ATTORNEY WITH THIS NUMBER MUST BE ATTACHED.)

IN THE SUPERIOR COURT OF THE MARTINEZ JUDICIAL DISTRICT
 COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA.

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

CASE NO. 04-195330-6-002

DIV. NO. _____

VS.

CLENZELL BRYANT

Defendant

Defendant CLENZELL BRYANT

(NAME OF DEFENDANT)

CC18KU602

(BOOKING NO.)

having been admitted to bail in the sum of ONE HUNDRED FIFTY THOUSAND & 00/100Dollars (\$ 150,000.00) and ordered to appear in the above entitled court, on 02-11-2019 @ 1:30 PMon PC 241 VC 2800.2 PC 209(3)(1) charge/s:

(State "MISDEMEANOR" OR "FELONY")

Now, FINANCIAL CASUALTY & SURETY, INC., a Texas Corporation, hereby undertakes that the above-named defendant will appear in the above-named court on the date above, set forth to answer any charge in any accusatory pleading based upon the acts supporting the complaint filed against him/her and as duly authorized amendments thereof, in whatever court may be filed and prosecuted, and will at all times hold him/herself amenable to the orders and process of the court, and if convicted, will appear for pronouncement of judgment or grant of probation, or if he/she fails to perform either of these conditions, that the FINANCIAL CASUALTY & SURETY, INC., a Texas Corporation, will pay to the people of the State of California the sum of ONE HUNDRED FIFTY THOUSAND & 00/100 dollars (\$ 150,000.00) subject to applicable legal provisions.

If the forfeiture of this bond be ordered by the court, judgment may be summarily made and entered forthwith against the said FINANCIAL CASUALTY & SURETY, INC., a Texas Corporation, for the amount of its undertaking herein as provided by Sections 1305 and 1306 of the Penal Code.

THIS BOND IS VOID IF WRITTEN FOR AN AMOUNT GREATER THAN THE POWER OF ATTORNEY ATTACHED HERETO, IF MORE THAN ONE SUCH POWER IS ATTACHED OR IF WRITTEN AFTER THE EXPIRATION DATE SPECIFIED ON THE ATTACHED POWER OF ATTORNEY.

FINANCIAL CASUALTY & SURETY, INC.
 (A Texas Corporation)

By _____

Robert Sabo, Sr. Vice-President



I certify under penalty of perjury that I am a licensed bail agent of the FINANCIAL CASUALTY & SURETY, INC. and that I am executing this bond on 1/24/19 day, at MARTINEZ CA

(Date)

(Location)

(SIGNATURE OF LICENSED AGENT)

THE PREMIUM CHARGED FOR

THIS BOND PER ANNUM IS: \$ 15,000.00Approved [Signature] day of January, 2019Title Sgt K. B. [Signature]

NOTE: This is an Appearance Bond and cannot be construed as a guarantee for failure to provide payments, back alimony payments, FINES, or Wage Law claims, nor can it be as a Bond on Appeal.

CERTIFICATE OF DISCHARGE BOND
FINANCIAL CASUALTY & SURETY, INC.

POWER NO. FC3800-1946577BOND AMT \$ 150,000.00
TESLA-0001098

BANKERS
INSURANCE GROUP

Bankers Insurance Company

P.O. Box 33015 • St. Petersburg, Florida 33733-8015
727 823 4000 • 800 627 0000 • Fax 727 803 4076

Bail Hotline Bail Bonds

Insurance License # 1845394
3601 University Ave Second Floor
Riverside, California 92501
1-888-438-2245

JAN 29 2019

BAIL BOND

By: [Signature] **POWER OF ATTORNEY WITH THIS NUMBER MUST BE ATTACHED**
NO. 520020580-9

IN THE SUPERIOR COURT OF THE MARTINEZ JUDICIAL DISTRICT
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA.

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

CASE NO. 04-195330-6-CC1

VS.

DIV. NO. Dept. 3

DIAZ, DEMETRIC G.

Defendant.

Defendant DIAZ, DEMETRIC G.

(NAME OF DEFENDANT)

CC18KU601

(BOOKING NO.)

having been admitted to bail in the sum of Three Hundred Thousand

2,111,190 Dollars (\$300,000.00) and ordered to appear in the above-entitled

court on 2/11/19 @ 1:30 PM, on PC211, PC245(A)(2)x3, PC209(B)(1) charge/s;
(DATE OF APPEARANCE) (STATE MISDEMEANOR OR FELONY)

NOW, the BANKERS INSURANCE COMPANY, a Florida Corporation hereby undertakes that the above-named defendant will appear in the above named court on the date above set forth to answer any charge in any accusatory pleading based upon the acts supporting the complaint filed against him/her and all duly authorized amendments thereof, in whatever court it may be filed and prosecuted, and will at all times hold him/herself amendable to the orders and process of the court and, if convicted, will appear for pronouncement of judgement or grant of probation; or if he/she fails to perform either of these conditions, that the BANKERS INSURANCE COMPANY, a Florida Corporation, will pay to the People of the state of California the sum of Three Hundred Thousand Dollars (\$300,000.00)

If the forfeiture of this bond be ordered by the Court, Judgment may be summarily made and entered forthwith against the said BANKERS INSURANCE COMPANY, a Florida Corporation, for the amount of its undertaking herein as provided by Section 1305 and 1306 of the California Penal Code.

THIS BOND IS VOID IF WRITTEN FOR AN AMOUNT GREATER THAN THE POWER OF ATTORNEY ATTACHED HERETO, IF MORE THAN ONE SUCH POWER IS ATTACHED, OR IF WRITTEN AFTER THE EXPIRATION DATE AS SPECIFIED ON THE ATTACHED POWER OF ATTORNEY.

BANKERS INSURANCE COMPANY

(SEAL)

By AMORE J. WINKLE

AGENT

I certify under penalty of perjury that I am a licensed bail agent of the BANKERS INSURANCE COMPANY and that I am executing this bond on 1/23/19

(DATE)

at MARTINEZ, CA

(LOCATION)

[Signature]
(SIGNATURE OF LICENSED AGENT)

THE PREMIUM CHARGED FOR
THIS BOND IS \$ 30,000.00

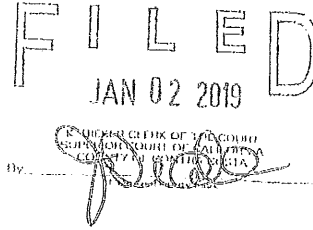
Approved this 23RD day of JAN., 2019
SGT. BRUMFIELD (Title)

Note: This is an Appearance Bond and cannot be construed as a guarantee for failure to provide payments, back alimony payments, FINES, or Wage Law claims, nor can it be used as a Bond on future.

BIC0420260809A

TESLA-0001099

1 ALTERNATE DEFENDER OFFICE, Contra Costa County
 2 Elizabeth K. Barker, Asst. Public Defender
 3 By: Evan Kuluk (SBN #251008), Deputy Public Defender
 4 627 Ferry St. Martinez, CA 94553
 Telephone: (925) 335-8181
 Evan.Kuluk@pd.cccounty.us



5 Attorneys for Defendant BRYANT

6
 7 SUPERIOR COURT OF CALIFORNIA, COUNTY OF CONTRA COSTA
 8

9 PEOPLE OF THE STATE OF CALIFORNIA,	}	No. 4-195330-6
10 Plaintiff,		NOTICE OF MOTION AND
11 vs.		MOTION TO RESET BAIL TO AN
12		AFFORDABLE AMOUNT AND/OR GRANT
13 CLENZELL BRYANT,		PRETRIAL RELEASE
14 Defendant.	}	[<i>In re Humphrey</i> ; P.C. §§ 1270.2, 1270.5, 1271; U.S. & CAL. Constitutions]
15		Date: 1/9/2018
16		Time: 8:45 AM
		Dept.: 4

17 TO THE DISTRICT ATTORNEY FOR THE COUNTY OF CONTRA COSTA AND TO THE
 18 CLERK OF THE ABOVE ENTITLED COURT:

19 PLEASE TAKE NOTICE that at the above listed date and time, in the above department of
 20 the above-entitled court, defendant will move to reduce bail and/or grant pretrial release. This motion
 21 is made on the ground that defendant is unable to afford the currently set bail and that the due process
 22 and equal protection clauses of the Fourteenth Amendment to the United States Constitution require
 23 this Court to ensure that the defendant is not held in custody solely because the defendant lacks
 24 financial resources. The recent appellate court decision in *In re Humphrey* (2018) 19 Cal.App.5th 1006
 25 [review granted but still published; citable as persuasive authority pursuant to Cal. Rules of Court Rule
 26
 27
 28

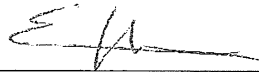
NOTICE OF MOTION AND MOTION TO REDUCE BAIL AND/OR GRANT PRETRIAL RELEASE

1 8.1115(e)(1)] calls upon the judiciary to harmonize its bail determinations with the Constitution, and in
2 so doing, "change the way we think about bail":

3
4 Defendant respectfully asks this court to give credence to *Humphrey's* analysis and the
5 constitutional principles on which it relies and thereby consider defendant's ability to pay and
6 alternatives to incarceration. This motion is based on the Notice, the attached Memorandum of Points
7 and Authorities, the records, pleadings and papers on file in this action, and on any other evidence
8 presented at the hearing.
9

10 DATED: January 2, 2019

Respectfully submitted,

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12 

13 Evan Kuluk
14 Deputy Public Defender
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MEMORANDUM OF POINTS AND AUTHORITIES

INTRODUCTION

For decades, California judges have set bail in amounts that permit pretrial release of the wealthy but not the poor. Bail has been set according to bail schedules without consideration of defendant's ability to pay. *In re Humphrey* (2018) 19 Cal.App.5th 1006 [review granted but still published; citable as persuasive authority pursuant to Cal. Rules of Court Rule 8.1115(e)(1)] makes clear that our established practice is "a deformity in our criminal justice system that close observers have long considered a blight on the system."¹ The *Humphrey* court discusses our longstanding error and says it is the *judiciary* that must correct it:

The problem, as our Chief Justice has shown, *requires the judiciary ... to change the way we think about bail and the significance we attach to the bail process...* [T]he highest judicial responsibility is and must remain the enforcement of constitutional rights... [and the protection of] presumptively innocent persons threatened with divestment of their fundamental constitutional right to pretrial liberty.

(*Humphrey, supra*, 19 Cal.App.5th at 1049, *emph. added.*) The defense respectfully requests that this Court fulfill its responsibility to ensure that no person is incarcerated because he or she is poor, and to reduce bail to an affordable amount and/or grant pretrial release on appropriate conditions.

¹ While the California Supreme Court has granted review in *Humphrey*, the Court chose not to de-publish the case. *Humphrey* may still be cited for its "persuasive value." (Cal. Rules of Court Rule 8.1115(e)(1).) Even though the case is not currently binding precedent, it should not be ignored. Like dicta in a judicial decision, "a statement that does not possess the force of a square holding may nevertheless be considered highly persuasive, particularly when made by an able court after careful consideration, or in the course of an elaborate review of the authorities." (9 Witkin, Cal. Proc. 5th Appeal §511 (2008); see also *Smith v. Los Angeles* (1989) 214 Cal.App.3d 266, 297 ["Such dictum, while not controlling authority, carries persuasive weight and should be followed where it demonstrates a thorough analysis of the issue or reflects compelling logic."].) This Court should not reject or demean the persuasive, reasoned decision in *Humphrey*. The Court of Appeal in *Humphrey* conducted a careful review of the relevant constitution principles, the leading federal and state case law, and binding precedent from the United States Supreme Court in finding that our current bail system did not comport with due process and equal protection. As such, the ruling and analysis in the case should be followed.

STATEMENT OF FACTS

The prosecution filed felony charges against Clenzell Bryant and codefendant Demetric Diaz. At Mr. Bryant's arraignment on December 31, 2018, monetary bail was set at \$1,100,000, an amount that Mr. Bryant is unable to pay. Mr. Bryant remains in custody because he does not have the financial means to post the monetary amount set by the court. Accordingly, under Penal Code section 1270.2, the due process and equal protection clauses of the state and federal constitutions, the Eight Amendment, and the decision of *In re Humphrey*, defendant is hereby requesting the court reconsider the bail previously set and either reduce defendant's bail based on defendant's ability to pay and/or grant pretrial release on appropriate conditions. (*Humphrey, supra*, 19 Cal.App.5th at 1048-1049.)

Pretrial incarceration places a significant burden on defendant, including deprivation of liberty, curtailed ability to prepare a defense, prejudice engendered by appearing in court incarcerated, peril to employment, imposition on family, and attendant social burdens. (See, generally, *Van Atta v. Scott* (1995) 27 Cal.3d 424, 435-437.)

Mr. Bryant is 22 years old. According to the RAP sheet provided in discovery, he has no criminal convictions. He lives with his parents at a long-term stable address in Richmond. He takes care of his two year-old son. He coaches basketball and football through San Francisco Parks and Recreation, and drives for Door Dash and Cavier. He is heavily involved in Operation Genesis through the San Francisco Police Department. Mr. Bryant has significant ties to Contra Costa County and not a flight risk nor a danger to the community.

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//

STATEMENT OF LAW AND ARGUMENT

I. MR. BRYANT IS ENTITLED TO AFFORDABLE BAIL.

Defendant is entitled to affordable bail. When a person is entitled to bail:

[T]he due process and equal protection clauses of the Fourteenth Amendment require the court to make two additional inquiries and findings before ordering release conditioned on the posting of money bail—whether the defendant has the financial ability to pay the amount of bail ordered and, if not, whether less restrictive conditions of bail are adequate to serve the government’s interests...

(*Humphrey*, *supra*, 19 Cal.App.5th at 1025.) Because defendant is unable to pay bail as currently set, *Humphrey* makes the following clear:

[The] court may not order pretrial detention unless it finds...

[1] the defendant is unable to pay that amount and no less restrictive conditions of release would be sufficient to reasonably assure such appearance; or

[2] no less restrictive nonfinancial conditions of release would be sufficient to protect the victim and community.

(*Id.*, at 1026, *emph. added.*) Furthermore, the court may only order bail above defendant’s ability to pay, i.e. the functional equivalent of a no bail ruling, if it finds by clear and convincing evidence that no less restrictive non-financial alternatives will satisfy those purposes—attendance at court appearances and protection of victim and community. (*Id.*, at 1037, 1039.)

Humphrey holds: “A determination of ability to pay is critical in the bail context to guard against improper detention based only on financial resources. . . . [This is] a matter that is the trial court’s responsibility to ensure—that a defendant not be held in custody solely because he or she lacks financial resources.” (*Humphrey*, 19 Cal.App.5th at 1036.) Furthermore, any bail reduction is meaningful “only if the court ha[s] reason to believe it possible for petitioner to post bail in the lower amount...” (*Id.*, at 1045.)

1 At the hearing on this motion, the defense will offer evidence regarding Mr. Bryant's ability to
2 pay. However, if this Court disagrees and "concludes that an amount of bail the defendant is unable to
3 pay is required to ensure his or her future court appearances, it may impose that amount only upon a
4 determination by clear and convincing evidence that no less restrictive alternative will satisfy that
5 purpose." (*Humphrey, supra*, 19 Cal.App.5th at 1037.) This Court's determinations regarding
6 dangerousness and flight risk must be based upon an individualized evaluation of defendant's
7 circumstances and propensities, and not "generalizations of future criminality." (*Id.*, at 1040.)
8 Moreover, the prosecution has the burden to present "clear and convincing evidence, to establish that
9 'no condition or combination of conditions of release would ensure the safety of the community or any
10 person' [citation], thereby justifying abridgment of petitioner's liberty interest while awaiting trial." (*Id.*,
11 at 1045 [citing *U.S. v. Salerno* (1987) 481 U.S. 739, 743-744].)
12

13
14 In the present case, the prosecution will be unable to demonstrate by clear and convincing
15 evidence that the defendant meets the criteria set forth for pretrial detention without reasonable bail
16 under article I, section 12, of the California Constitution. Thus, Mr. Bryant should be admitted to bail.
17 Under the analysis of *Humphrey* and the cases and constitutional principles on which it relies, this court
18 must either grant pretrial release or set bail at an amount defendant can afford.
19

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CONCLUSION

For decades, our courts have set bail in exorbitant amounts that permit release of the wealthy but not the poor. This established practice is “a deformity in our criminal justice system that close observers have long considered a blight on the system.” (*Humphrey, supra*, 19 Cal.App.5th at 1049.) The judiciary that must correct it. (*Id.*) The defense respectfully requests that this Court fulfill its responsibility to ensure that no person is incarcerated because they are poor, and to reduce bail to an affordable amount and/or grant pretrial release on appropriate conditions.

DATED: January 2, 2019

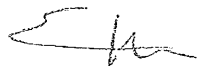
Respectfully submitted,



Evan Kuluk
Deputy Public Defender

CERTIFICATE OF WORD COUNT

I hereby certify that according to the word count feature of the software used to prepare this brief, the word count of the motion and notice, excluding case caption information, signature blocks and this certificate, is 1,343 words.



Evan Kuluk
Deputy Public Defender

AFFIDAVIT OF PERSONAL SERVICE

Case: People v. BRYANT

Superior Court Case No.: 4-195330-6

Evan I. Kuluk, being first duly sworn deposes and says:

I am a citizen of the United States, over age 18 years and am not a party to the above-entitled proceeding. My business address is 627 Ferry St. Martinez, CA 94553;

That I personally served a copy of the following documents:

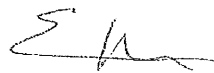
NOTICE OF MOTION AND MOTION TO RESET BAIL TO AN AFFORDABLE AMOUNT
AND/OR GRANT PRETRIAL RELEASE

On the hereinafter named person(s) or party(ies) by delivering to and leaving with said person(s) or party(ies) at the places and date hereinafter set opposite the name of such person(s) or party(ies), true copies of said abovementioned document:

Office of the District Attorney	Via Fax 925-646-4174	1/2/2019
---------------------------------	-------------------------	----------

I declare under penalty of perjury that the foregoing is true and correct,

Executed on Jan. 2, 2019 in Martinez, California.


Evan Kuluk, Deputy Public Defender

ROBIN LIPETZKY (# 124769)
Public Defender, Contra Costa County
By: Brooks Osborne (#244841), Deputy Public Defender
800 Ferry Street
Martinez, CA 94553
Telephone: (925) 335-8000
Attorneys for Defendant

FILED
DEC 28 2018
K. BIEKER, CLERK OF THE COURT
SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA
BY: C. Franklin, Deputee Clerk
ORIGINAL

SUPERIOR COURT OF CALIFORNIA, COUNTY OF CONTRA COSTA

PEOPLE OF THE STATE OF CALIFORNIA,	)	No. 4-195330-6
)	
Plaintiff,	)	NOTICE OF MOTION AND MOTION TO
	)	RESET BAIL TO AN AFFORDABLE
vs.	)	AMOUNT AND/OR GRANT PRETRIAL
	)	RELEASE
	)	[<i>In re Humphrey</i> ; P.C. §§ 1270.2, 1270.5, 1271;
Demetric Diaz,	)	U.S. & CAL. Constitutions]
)	
Defendant.	)	Date: January 9, 2019
	)	Time: 8:45a.m.
	)	Dept.: 4

TO THE DISTRICT ATTORNEY FOR THE COUNTY OF CONTRA COSTA AND TO THE CLERK OF THE ABOVE ENTITLED COURT:

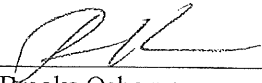
PLEASE TAKE NOTICE that at the above listed date and time, in the above department of the above-entitled court, defendant will move to reduce bail and/or grant pretrial release. This motion is made on the ground that defendant is unable to afford the currently set bail and that the due process and equal protection clauses of the Fourteenth Amendment to the United States Constitution require this Court to ensure that the defendant is not held in custody solely because the defendant lacks financial resources. The recent appellate court decision in *In re Humphrey* (2018) 19 Cal.App.5th 1006 [review granted but still published; citable as persuasive authority pursuant to Cal. Rules of Court Rule 8.1115(e)(1)] calls upon the judiciary to harmonize its bail determinations with the Constitution, and in so doing, "change the way we think about bail":

NOTICE OF MOTION AND MOTION TO REDUCE BAIL AND/OR GRANT PRETRIAL RELEASE

1
2 Defendant respectfully asks this court to give credence to *Humphrey's* analysis and the
3 constitutional principles on which it relies and thereby consider defendant's ability to pay and
4 alternatives to incarceration. This motion is based on the Notice, the attached Memorandum of Points
5 and Authorities, the records, pleadings and papers on file in this action, and on any other evidence
6 presented at the hearing.
7

8
9 DATED: December 28, 2018

Respectfully submitted,

10
11 
12 Brooks Osborne
13 SBN: 244841
14 Deputy Public Defender,
15 Attorney for Defendant
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MEMORANDUM OF POINTS AND AUTHORITIES

INTRODUCTION

For decades, California judges have set bail in amounts that permit pretrial release of the wealthy but not the poor. Bail has been set according to bail schedules without consideration of defendant's ability to pay. *In re Humphrey* (2018) 19 Cal.App.5th 1006 [review granted but still published; citable as persuasive authority pursuant to Cal. Rules of Court Rule 8.1115(e)(1)] makes clear that our established practice is "a deformity in our criminal justice system that close observers have long considered a blight on the system."¹ The *Humphrey* court discusses our longstanding error and says it is the *judiciary* that must correct it:

The problem, as our Chief Justice has shown, *requires the judiciary ... to change the way we think about bail and the significance we attach to the bail process...* [T]he highest judicial responsibility is and must remain the enforcement of constitutional rights... [and the protection of] presumptively innocent persons threatened with divestment of their fundamental constitutional right to pretrial liberty.

(*Humphrey, supra*, 19 Cal.App.5th at 1049, *emph. added*.) The defense respectfully requests that this Court fulfill its responsibility to ensure that no person is incarcerated because he or she is poor, and to reduce bail to an affordable amount and/or grant pretrial release on appropriate conditions.

¹ While the California Supreme Court has granted review in *Humphrey*, the Court chose not to de-publish the case. *Humphrey* may still be cited for its "persuasive value." (Cal. Rules of Court Rule 8.1115(e)(1).) Even though the case is not currently binding precedent, it should not be ignored. Like dicta in a judicial decision, "a statement that does not possess the force of a square holding may nevertheless be considered highly persuasive, particularly when made by an able court after careful consideration, or in the course of an elaborate review of the authorities." (9 Witkin, Cal. Proc. 5th Appeal §511 (2008); see also *Smith v. Los Angeles* (1989) 214 Cal.App.3d 266, 297 ["Such dictum, while not controlling authority, carries persuasive weight and should be followed where it demonstrates a thorough analysis of the issue or reflects compelling logic."].) This Court should not reject or demean the persuasive, reasoned decision in *Humphrey*. The Court of Appeal in *Humphrey* conducted a careful review of the relevant constitution principles, the leading federal and state case law, and binding precedent from the United States Supreme Court in finding that our current bail system did not comport with due process and equal protection. As such, the ruling and analysis in the case should be followed.

1 **STATEMENT OF FACTS**

2 The prosecution filed criminal charges against defendant. Monetary bail was previously set in an
3 amount that defendant is unable to pay. Defendant remains in custody because defendant does not have the
4 financial means to post the monetary amount set by the court. Accordingly, under Penal Code section
5 1270.2, the due process and equal protection clauses of the state and federal constitutions, the Eight
6 Amendment, and the decision of *In re Humphrey*, the defendant is hereby requesting the court reconsider
7 the bail previously set and either reduce defendant's bail based on defendant's ability to pay and/or grant
8 pretrial release on appropriate conditions. (*Humphrey, supra*, 19 Cal.App.5th at 1048-1049.)
9

10 Pretrial incarceration places a significant burden on defendant, including deprivation of liberty,
11 curtailed ability to prepare a defense, prejudice engendered by appearing in court incarcerated, peril to
12 employment, imposition on family, and attendant social burdens. (See, generally, *Van Atta v. Scott*
13 (1995) 27 Cal.3d 424, 435-437.)
14

15 **STATEMENT OF LAW AND ARGUMENT**

16
17 **I. THE ACCUSED IS ENTITLED TO AFFORDABLE BAIL.**

18 Defendant is entitled to affordable bail. When a person is entitled to bail:

19 [T]he due process and equal protection clauses of the Fourteenth Amendment
20 require the court to make two additional inquiries and findings before ordering
21 release conditioned on the posting of money bail—whether the defendant has
22 the financial ability to pay the amount of bail ordered and, if not, whether less
23 restrictive conditions of bail are adequate to serve the government's interests...

24 (*Humphrey, supra*, 19 Cal.App.5th at 1025.) Because defendant is unable to pay bail as currently set,
25 *Humphrey* makes the following clear:

26 [The] court may not order pretrial detention unless it finds...

27 [1] the defendant is unable to pay that amount and no less restrictive
28 conditions of release would be sufficient to reasonably assure such
appearance; or

1 [2] no less restrictive nonfinancial conditions of release would be sufficient to
 2 protect the victim and community.

3 (*Id.*, at 1026, *emph. added.*) Furthermore, the court may only order bail above defendant's ability to pay,
 4 i.e. the functional equivalent of a no bail ruling, if it finds by clear and convincing evidence that no less
 5 restrictive non-financial alternatives will satisfy those purposes—attendance at court appearances and
 6 protection of victim and community. (*Id.*, at 1037, 1039.)

7 *Humphrey* holds: "A determination of ability to pay is critical in the bail context to guard against
 8 improper detention based only on financial resources. . . . [This is] a matter that is the trial court's
 9 responsibility to ensure—that a defendant not be held in custody solely because he or she lacks financial
 10 resources." (*Humphrey*, 19 Cal.App.5th at 1036.) Furthermore, any bail reduction is meaningful "only
 11 if the court ha[s] reason to believe it possible for petitioner to post bail in the lower amount..." (*Id.*, at
 12 1045.)

14 At the hearing on this motion, defendant will offer evidence regarding defendant's ability to pay.
 15 However, if this Court disagrees and "concludes that an amount of bail the defendant is unable to pay is
 16 required to ensure his or her future court appearances, it may impose that amount only upon a
 17 determination by clear and convincing evidence that no less restrictive alternative will satisfy that
 18 purpose." (*Humphrey, supra*, 19 Cal.App.5th at 1037.) This Court's determinations regarding
 19 dangerousness and flight risk must be based upon an individualized evaluation of defendant's
 20 circumstances and propensities, and not "generalizations of future criminality." (*Id.*, at 1040.)
 21 Moreover, the prosecution has the burden to present "clear and convincing evidence, to establish that
 22 'no condition or combination of conditions of release would ensure the safety of the community or any
 23 person' [citation], thereby justifying abridgment of petitioner's liberty interest while awaiting trial." (*Id.*,
 24 at 1045 [citing *U.S. v. Salerno* (1987) 481 U.S. 739, 743-744].)


1 In the present case, the prosecution will be unable to demonstrate by clear and convincing
 2 evidence that the defendant meets the criteria set forth for pretrial detention without reasonable bail
 3 under article I, section 12, of the California Constitution. Thus, the defendant should be admitted to
 4 bail. Under the analysis of *Humphrey* and the cases and constitutional principles on which it relies, this
 5 court must either grant pretrial release or set bail at an amount defendant can afford.
 6

7 CONCLUSION

8 For decades, our courts have set bail in exorbitant amounts that permit release of the wealthy but
 9 not the poor. This established practice is "a deformity in our criminal justice system that close observers
 10 have long considered a blight on the system." (*Humphrey, supra*, 19 Cal.App.5th at 1049.) The
 11 judiciary that must correct it. (*Id.*) The defense respectfully requests that this Court fulfill its
 12 responsibility to ensure that no person is incarcerated because they are poor, and to reduce bail to an
 13 affordable amount and/or grant pretrial release on appropriate conditions.
 14

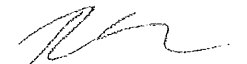
15
 16 DATED: December 28, 2018

Respectfully submitted,

17
 18
 19 
 20 Brooks Osborne
 21 Deputy Public Defender,
 22 Attorney for Defendant
 23

24 CERTIFICATE OF WORD COUNT

25 I hereby certify that according to the word count feature of the software used to prepare this
 26 brief, the word count of the motion and notice, excluding case caption information, signature blocks and
 27 this certificate, is 1205 words.
 28

26 
 27 Brooks Osborne
 28 Deputy Public Defender

AFFIDAVIT OF SERVICE BY FACSIMILE TRANSMISSION

(C.C.P. 1012, 1013a, 2015.5)

I, Andrea Martinez, the undersigned, declare that I am over the age of eighteen years, employed in the County of Contra Costa, State of California, and not a party to the cause described in the affixed document. My business address is 800 Ferry Street, Martinez, CA 94553.

On December 28, 2018, I served a true copy of the attached:

NOTICE OF MOTION AND MOTION TO RESET BAIL TO AN AFFORDABLE AMOUNT AND/OR GRANT PRETRIAL RELEASE [In re Humphrey; P.C. sections 1270.2, 1270.5, 1271; U.S. & CAL. Constitutions]

Re: Demetric Diaz, No. 04-195330-6

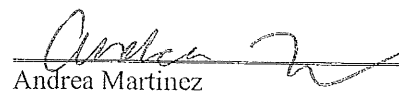
by placing a true copy in a telephone facsimile machine and transmitting as follows:

Office of the District Attorney (925) 646-2524

The telephone facsimile machine by which this was transmitted is located at 1000 Center Street, Pittsburg, CA and is served by telephone number (925) 252-2812.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 28, 2018, at Pittsburg, California.


Andrea Martinez

Contra Costa County Detention Facilities

Bail Set Form For: Demetric Diaz

DOB: 06/19/1995

<p align="center">DETERMINATION OF BAIL IS THE RESPONSIBILITY OF THE ARRESTING AGENCY!</p>

THE UNDERSIGNED REQUESTS THAT BAIL BE SET:**1) LIST EACH SEPARATE FELONY AND THE CORRESPONDING BAIL SCHEDULE AMOUNT.**

Crimes committed on different days and crimes against different persons are generally separate crimes. However, a criminal act arrestable under more than one code section such as PC 499(b) / CVC 10851 or attempted pc 187 / PC 245(a), creates only one bailable event.

When listing enhancements, remember they often have substantially higher bails than the underlying crimes themselves. Some significant common enhancements: Armed /Used Firearm = \$50,000; GBI = \$50,000; while on Bail or O.R. = \$25,000; Two Strikes = double bail plus \$20,000; Three Strikes = no bail; Prior Felony = minimum of \$25,000.

CNT	CODE SECTION	ALL ENH THIS CNT	BAIL
1	PC209(b)(1)	PC12022.53(b)	\$ 1,000,000 + 100,000
2	PC211	PC12022.53(b)	\$ [654]
3	PC245(a)(2)		\$ 50,000
4	PC245(a)(2)		\$ 50,000
5	PC245(a)(2)		\$ 50,000
	PC1203.3		\$

<p align="center">BAIL TOTAL \$1,250,000.00</p>
--

3) LIST ALL WARRANTS AND BAIL AMOUNTS.

<u>NUMBER</u>	<u>COURT</u>	<u>BAIL</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

4) CHECK BOX IF BAIL INCREASE FORM ATTACHED:

Officer Barrera , Badge # 598
Brentwood Police Department 18-6244

Date: December 26, 2018

TESLA-0001115

Contr. Costa County Detention Facilities

Bail Set Form For: Clenzell Bryant

DOB: 03/31/1996

<p align="center">DETERMINATION OF BAIL IS THE RESPONSIBILITY OF THE ARRESTING AGENCY!</p>

THE UNDERSIGNED REQUESTS THAT BAIL BE SET:**1) LIST EACH SEPARATE FELONY AND THE CORRESPONDING BAIL SCHEDULE AMOUNT.**

Crimes committed on different days and crimes against different persons are generally separate crimes. However, a criminal act arrestable under more than one code section such as PC 499(b) / CVC 10851 or attempted pc 187 / PC 245(a), creates only one bailable event.

When listing enhancements, remember they often have substantially higher bails than the underlying crimes themselves. Some significant common enhancements: Armed /Used Firearm = \$50,000; GBI = \$50,000; while on Bail or O.R. = \$25,000; Two Strikes = double bail plus \$20,000; Three Strikes = no bail; Prior Felony = minimum of \$25,000.

CNT	CODE SECTION	ALL ENH THIS CNT	BAIL
1	PC209(b)(1)	PC12022(a)(1)	\$ 1,000,000.00
2	PC211	PC12022(a)(1)	\$ 50,000
6	VC2800.2		\$ 50,000

<p align="center">BAIL TOTAL \$1,100,000.00</p>
--

3) LIST ALL WARRANTS AND BAIL AMOUNTS.

<u>NUMBER</u>	<u>COURT</u>	<u>BAIL</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

4) CHECK BOX IF BAIL INCREASE FORM ATTACHED:

Officer Barrera , Badge # 598
Brentwood Police Department 18-6244

Date: December 26, 2018

Exhibit

14

1 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
A Limited Liability Partnership
2 Including Professional Corporations
TRACEY A. KENNEDY, Cal. Bar No. 150782
3 333 South Hope Street, 43rd Floor
Los Angeles, California 90071-1422
4 Telephone: 213.620.1780
Facsimile: 213.620.1398
5 E mail tkennedy@sheppardmullin.com

6 PATRICIA M. JENG, Cal. Bar No. 272262
REANNE SWAFFORD-HARRIS, Cal. Bar No. 305558
7 Four Embarcadero Center, 17th Floor
San Francisco, California 94111-4109
8 Telephone: 415.434.9100
Facsimile: 415.434.3947
9 E mail pjeng@sheppardmullin.com
rswafford-harris@sheppardmullin.com

10 Attorneys for Defendants,
11 TESLA, INC. dba TESLA MOTORS, INC.

12
13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16 DEMETRIC DI-AZ, OWEN DIAZ, AND
LAMAR PATTERSON,

17 Plaintiffs,

18 v.

19 TESLA, INC. DBA TESLA MOTORS, INC.;
20 CITISTAFF SOLUTIONS, INC.; WEST
VALLEY STAFFING GROUP;
21 CHARTWELL STAFFING SERVICES,
INC.; and DOES 1-50, inclusive,,
22

23 Defendants.

Case No. 3:17-cv-06748-WHO

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

Demetric Di-Az, et al. v. Tesla, Inc., et al.
USDC, Northern District of California, Case No. 3:17-cv-06748-WHO

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of San Francisco, State of California. My business address is Four Embarcadero Center, 17th Floor, San Francisco, CA 94111-4109.

On November 14, 2019, I served true copies of the following document(s) described as:

TESLA'S DOCUMENT PRODUCTION
(Bates label: TESLA-0001014 to TESLA-0001161)

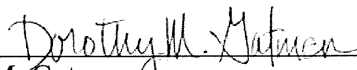
on the interested parties in this action as follows:

SEE SERVICE LIST

☒ **BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with the firm's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am a resident or employed in the county where the mailing occurred.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on November 14, 2019, at San Francisco, California.



Dorothy M. Gatmen

SERVICE LIST

1
2 Lawrence A. Organ Attorneys for Plaintiffs
Navruz Avloni DEMETRIC DI-AZ and OWEN DIAZ
3 California Civil Rights Law Group
332 San Anselmo Ave.
4 San Anselmo, CA 94960
Telephone: 415-453-4740
5 Facsimile: 415-785-7352]
Email: larry@civilrightsca.com
6 navruz@civilrightsca.com

7 J. Bernard Alexander, Esq. Attorneys for Plaintiffs,
ALEXANDER KRAKOW + GLICK LLP DEMETRIC DI-AZ and OWEN DIAZ
8 1900 Avenue of the Stars, Suite 900
Los Angeles, CA 90067
9 Telephone: 310-464-1535
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10 Email: balexander@akgllp.com

11 Gary T. Lafayette Attorneys for Defendant
Cheryl A. Stevens CITISTAFF SOLUTIONS, INC.
12 Lafayette & Kumagai
1300 Clay Street, Suite 810
13 Oakland, CA 94612
Telephone: 415-357-4600
14 Email: glafayette@lkclaw.com
cstevens@lkclaw.com

15 Jason A. Geller Attorneys for Defendant
16 Juan C. Araneda nextSource, Inc.
Aaron D. Langberg
17 FISHER & PHILLIPS LLP
One Embarcadero Center, Suite 2050
18 San Francisco, California 94111
Telephone: (415) 490-9000
19 Facsimile: (415) 490-9001
Email: jgeller@fisherphillips.com
20 jaraneda@fisherphillips.com
alangberg@fisherphillips.com

21 Fenn C. Horton III Attorneys for Defendant
22 Helene Simvoulakis-Panos WEST VALLEY STAFFING GROUP
PAHL & McCAY
23 225 West Santa Clara Street, Suite 1500
San Jose, CA 95113
24 Telephone: 408-286-5110
Facsimile: 408-286-5722
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